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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 2—Clemency

CHAPTER I—PRESIDENTIAL CLEMENCY BOARD

PART 101—ADMINISTRATIVE PROCEDURES

PART 102—SUBSTANTIVE STANDARDS OF THE PRESIDENTIAL CLEMENCY BOARD

Procedures and Standards; Correction

On November 27, 1974, the Presidential Clemency Board published regulations in the FEDERAL REGISTER (39 FR 41351) establishing a new Chapter II in Title 2, Code of Federal Regulations.

In as much as the Selective Service System had already established 2 CFR, Chapter II at 39 FR 34511, September 26, 1974, it has become necessary to redesignate the regulations of the Presidential Clemency Board as 2 CFR, Chapter I, and reserve Parts 100-199 for use by the Board.

Therefore, FR Doc. 74-27863, published at 39 FR 41351, in the issue of Wednesday, November 27, 1974 is corrected as follows:

1. The Chapter and Part headings are renumbered to read as set forth above.

2. Wherever in the text of the document reference is made to "Chapter II", "Part 201" or "Part 202", it is changed to read "Chapter I", "Part 101" or "Part 102", respectively. All references based on a number in the 201 or 202 series are deemed changed to a 101 or 102 series, respectively.

Issued in Washington, D.C. on December 23, 1974.

CHARLES E. GOODELL,
Chairman,

Presidential Clemency Board.

[FR Doc. 74-30240 Filed 12-26-74; 8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation of Non-bonded Aviation Fuels to International Air Carriers

On December 13, 1974, the Federal Energy Administration issued amendments to §§ 211.42 and 211.146(c), the mandatory petroleum allocation regulations of 10 CFR Part 211 with respect to the allocation of non-bonded aviation fuel to international air carriers (39 FR 43812, December 19, 1974). As amended, § 211.146(c) (3) provided that interna-

tional air carriers filing certifications with their suppliers under § 211.146(c) are required to file such certifications for the period corresponding to a base period beginning January 1, 1975, by December 20, 1974.

FEA has determined that due to the differences between the previous regulations and the new regulations, in particular the requirement that certifications under § 211.146(c) (3) be filed for an entire period, rather than for a month, it would be difficult if not impossible for some international air carriers to file their certifications by December 20, 1974. In addition, it has come to FEA's attention that, with respect to some international air carriers, changes in operations and other circumstances not raised with FEA in response to the November 20, 1974, further notice of proposed rule-making with respect to this issue, make compliance with the December 20 certification deadline impossible.

Therefore, effective immediately, FEA is amending § 211.146(c) (3) to provide that certifications must be filed with suppliers by December 28, 1974. Because of this delayed certification date, it may be necessary for suppliers of aviation fuels which receive certifications from international air carriers to revise some information previously reported to FEA on their Forms 1000.

Section 7(i) (1) (B) of the Federal Energy Administration Act of 1974 (Pub. L. 93-275) (FEAA) provides for waiver of the requirements of that section as to time of notice and opportunity to comment prior to promulgation of regulations where strict compliance with such requirements is found to cause serious harm or injury to the public health, safety, or welfare. Since a delay in the effective date of this amendment would result in international air carriers' inability to obtain non-bonded fuel for the period January 1 through March 31, 1975, in the manner intended by FEA regulations, thereby disrupting supply arrangements and interfering with such carriers' ability to provide for passenger and cargo transportation, the FEA has concluded that the requirements of Section 7(i) (1) (B) of the FEAA must be waived as to time of notice and opportunity to comment because strict compliance would result in serious harm or injury to the public welfare.

In addition, section 7(i) (1) (C) of the FEAA requires that opportunity for oral presentation of views, data and arguments be afforded with respect to any regulation which is likely to have a substantial impact on the Nation's economy

or large numbers of individuals or businesses. This amendment is only procedural in nature and does not in itself have such an impact, but only makes operative a preexisting regulation through a change in the filing date. Therefore, there is no need for the oral presentation of views, data and arguments.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790 (39 FR 23185))

In consideration of the foregoing, Part 211 of 10 CFR Chapter II is amended as set forth below, effective immediately.

Issued in Washington, D.C., December 20, 1974.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

1. Section 211.146 is amended by revising subparagraph (3) of paragraph (c) to read as follows:

§ 211.146 Method of allocation.

(c) * * *

(3) An international air carrier which files a certification with a supplier under this paragraph shall provide such certification to its supplier at least fifteen (15) days prior to the beginning of the period corresponding to a base period to which the certification applies except that for the period corresponding to a base period beginning January 1, 1975, an international air carrier shall provide such certification by December 28, 1974. The certification shall specify:

(i) The volumes of bonded aviation fuel which can be obtained for the period from all sources;

(ii) The volumes of bonded aviation fuel which can be obtained from that supplier;

(iii) The international air carrier's base period use for that period;

(iv) The amount of the international air carrier's base period use to be supplied by that supplier;

(v) Whether and to what extent the international air carrier can use naphtha-base jet fuel; and

(vi) The amount of bonded fuel which the supplier is to subtract from that portion of the carrier's base period use to the volume of bonded aviation fuel to be supplied by the supplier in determining the amount of non-bonded fuel the supplier is to supply to the carrier.

[FR Doc. 74-30133 Filed 12-23-74; 8:45 am]

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation of Old Oil; Corrective Amendments

On November 29, 1974, the Federal Energy Administration issued the final rule for the allocation of old oil pursuant to authority granted by the Emergency Petroleum Allocation Act of 1973 (39 FR 42246; December 4, 1974). Subsequent to the issuance of the final rule, FEA has determined that certain corrective amendments to the rule are warranted, and FEA is hereby adopting the following amendments to the final rule effective immediately.

SMALL REFINER BIAS

In its November 1974 further notice of proposed rulemaking for the allocation of old oil, FEA stated that it had based the entitlement value of the small refiner bias set forth in the notice on the dollar value of import tickets received by small refiners under the oil import program at the time when import ticket prices were in the \$1 and above range, adjusted for the rate of inflation. In the final rule, as to the first 30,000 barrels per day of each small refiner's crude runs, FEA modified the provisions of the small refiner bias to provide for issuance to small refiners of a number of incremental entitlements equivalent to the dollar value of import ticket issuances in PAD District V.

Since the promulgation of the final rule, FEA has been advised that it has incorrectly computed the value of import tickets issuable to small refiners in PAD District V under the oil import program. FEA has determined that it did in fact make technical errors in its computation of this value and accordingly is hereby revising the small refiner bias set forth in § 211.67(e) to conform to FEA's stated intent in this area.

TREATMENT OF BUY/SELL LIST SALES

FEA has also determined that the provisions of § 211.67(f) (1) of the final rule for calculating the volume of old oil deemed to be transferred in a sale by a refiner-seller to a refiner-buyer under § 211.65 are not technically correct. The final rule provided that the proportion of old oil deemed to be included in a sale under § 211.65 is to be based on the proportion of old oil included in the refiner-seller's crude oil receipts in the month in which the sale price was calculated under § 212.94. However, the sale price under the buy/sell list is based on crude oil deliveries to a refiner-seller in the month of the sale, and crude oil included in these deliveries may not necessarily be included in a refiner-seller's crude oil receipts.

The purpose of § 211.67(f) (1) is to reduce the cost equalization effects of sales under § 211.65, now that the final rule for the allocation of old oil has been adopted. FEA expects that sales under the buy/sell list will now serve to alleviate crude oil supply, as opposed to cost, problems. Thus, FEA is revising § 211.67(f) to provide for a more accurate determination of the volume of old oil reflected in the sale price as calculated

under § 212.94. Section 211.67(b) (1) provides that the proportion of old oil in a refiner-seller's crude oil deliveries that determine the sale price will also determine the proportion of old oil deemed to be transferred in a buy/sell list sale. If the sale price to the refiner-buyer is based on crude oil deliveries in PAD Districts I-IV, the proportion of old oil in those particular crude oil deliveries will determine the proportion of old oil deemed to be transferred pursuant to the sale; the result will be the same for a sale the price of which is based on crude oil deliveries in PAD District V.

As noted, the two corrective amendments made effective immediately are merely technical refinements to the final rule for the allocation of old oil which was made effective on November 29, 1974. Before the final rule was promulgated, an extensive rulemaking proceeding was held. A notice of proposed rulemaking and public hearing was issued on August 28, 1974, containing a proposal to allocate old oil proportionately among refiners (39 FR 31650, August 30, 1974). In response to this notice, more than 600 written comments were received and approximately 40 interested parties presented statements at a public hearing held on September 24 and 25, 1974. On November 7, 1974, FEA issued a further notice of proposed rulemaking (39 FR 39740, November 11, 1974), in response to which over 175 written comments were received. After evaluation of these comments, the final rule was adopted on November 29, 1974.

During the rulemaking proceeding on this final rule, oral and written comments were received with respect to the small refiner bias and the transfer of volumes of old oil in connection with buy/sell list sales and such comments have been taken into account in the promulgation of the two technical requirements made effective today. The notice and hearing requirements of subsections 7(d) (1) (B), and (C) of the Federal Energy Administration Act of 1974 (Pub. L. 93-275) have therefore already been satisfied and a further opportunity for the presentation of oral and written views is unnecessary.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185.)

In consideration of the foregoing, Part 211 of Chapter II, Title 10 of the Code of Federal Regulations, is amended as set forth below, effective immediately.

Issued in Washington, D.C. on December 20, 1974.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

Section 211.67 is amended by revising paragraphs (e) and (f) to read as follows:

§ 211.67 Allocation of old oil.

(e) *Entitlement adjustment for small refiners.* In addition to the number of en-

titlements issuable under paragraph (a) of this section, each small refiner with a daily average volume of crude oil runs to stills of less than 175,000 barrels for a particular month shall be issued the following number of additional entitlements for each day of that month: (1) For each small refiner with a daily average volume of crude oil runs to stills of 100,000 to 175,000 barrels, 1,258 entitlements less the number of entitlements obtained by multiplying the difference between that small refiner's daily average volume of crude oil runs to stills (in thousands of barrels) and 100 by 16.7733; (2) for each small refiner with a daily average volume of crude oil runs to stills of 30,000 to 100,000 barrels, 1,690 entitlements less the number of entitlements obtained by multiplying the difference between that small refiner's daily average volume of crude oil runs to stills (in thousands of barrels) and 30 by 6.1714; (3) for each small refiner with a daily average volume of crude oil runs to stills of 10,000 to 30,000 barrels, 1,238 entitlements plus the number of entitlements obtained by multiplying the difference between that small refiner's daily average volume of crude oil runs to stills (in thousands of barrels) and 10 by 22.6; and (4) for each small refiner with a daily average volume of crude oil runs to stills of zero to 10,000 barrels, 123.8 entitlements for each 1,000 barrels of that small refiner's daily average volume of crude oil runs to stills.

(f) *Transactions under § 211.65.* (1) Each sale by a refiner-seller under § 211.65 shall be deemed to include a volume of old oil proportionate to the volume of old oil included in the deliveries of crude oil to that refiner-seller that determine the price at which the sale is made under § 212.94 of Part 212. Any volumes of old oil so included in any sale under § 211.65 shall be reflected in the crude oil receipts of the refiner-buyer concerned. As to each such sale, each refiner-seller shall certify to the refiner-buyer the volume of old oil included in the volume of crude oil sold within twenty-five (25) days following the month in which the crude oil is delivered to or for the account of the refiner-buyer in accordance with the provisions of § 212.131 of Part 212.

(2) In determining the weighted average price of all crude oil delivered to a refiner-seller in a month in the specified PAD District or Districts pursuant to § 212.94 of Part 212, the cost of any required purchases or revenues from any sales of entitlements by that refiner-seller shall not be taken into account.

[FR Doc.74-30134 Filed 12-23-74; 8:45 am]

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Residual Fuel Oil; Allocation Level for Space Heating Requirements

On November 16, 1974, the Federal Energy Administration issued a notice of proposed rulemaking (39 FR 40866, November 21, 1974) concerning a change in the allocation level for space heating

requirements of residual fuel oil. Written comments were invited through December 2, 1974.

Six timely comments and three late comments were received in response to the notice of proposed rulemaking. Comments were filed by suppliers, trade associations, state and local government officials, and industry.

The proposed regulations would conform the allocation level for space heating requirements of residual fuel oil to that recently adopted for middle distillate fuels. The proposal provided for a change in the allocation level for space heating requirements of residual fuel oil from one hundred percent of base period use, not subject to an allocation fraction, to one hundred ten percent of base period use, subject to an allocation fraction, except that if a supplier's allocation fraction were less than 0.8, the supplier would supply space heating end-users and wholesale purchaser-consumers at an allocation level of eighty-eight percent of base period use, not subject to an allocation fraction (the equivalent of 0.8 times one hundred ten percent of base period use). It was also proposed to eliminate the mandatory temperature reductions of six degrees for residences and schools and ten degrees for other types of buildings, and the corresponding requirement that suppliers make deliveries on the basis of usage factors which establish the quantity of fuel required to maintain temperatures reduced as specified for each type of building. Since no temperature reductions were previously imposed upon medical and nursing buildings, it was proposed that they be accorded an allocation level of one hundred percent of current requirements, not subject to an allocation fraction.

Several comments supported the proposed elimination of the mandatory temperature reduction requirement because such a requirement is unfair to users of residual fuel oil since a similar requirement is not imposed upon users of other energy sources. In addition, the comments point out that the current allocation method of calculating levels is burdensome to suppliers of residual fuel oil. Those comments opposing the proposal were based upon the need for conservation of energy sources. FEA believes, however, that conservation can be achieved by other means and should not be imposed upon users of a fuel unless similar restrictions are placed upon similar users of other sources of energy which FEA does not regulate. The FEA has determined, therefore, that the proposed regulations should be adopted as proposed.

The following example illustrates the operation of the new regulation:

Supplier A is a supplier of residual fuel oil to three wholesale purchaser-consumers for space heating requirements and for other uses. Supplier A has no end-user or wholesale purchaser reseller customers. Supplier A desires to calculate its allocation fraction for the month of January, 1975 since residual fuel oil is allocated on a monthly basis. Firm B, a space heating wholesale purchaser-consumer to which the new allocation level applies, is supplied by Supplier A, and has a

base period use for January of 20,000 gallons of residual fuel oil and an allocation requirement, as defined in § 211.10(b)(2)(iii), of 22,000 gallons (20,000 x 110%). Firm C purchases residual fuel oil from Supplier A for industrial use under an allocation level of one hundred percent of base period use, subject to an allocation fraction. Firm C's base period use for January is 30,000 gallons, and its allocation requirement is 30,000 x 100 percent, or 30,000 gallons. In addition, Supplier A supplies Firm D, a wholesale purchaser-consumer of residual fuel oil for non-military marine shipping under an allocation level of one hundred percent of current requirements, subject to an allocation fraction. Firm D's current requirements for January are 25,000 gallons, and its allocation requirement is 25,000 gallons. Supplier A has no other customers.

Thus, Supplier A's supply obligation, equal to the sum of its purchasers' allocation requirements, is 77,000 gallons. Assume that Supplier A's allocable supply for January is 60,000 gallons. Supplier A calculates its allocation fraction according to § 211.10(b) by dividing allocable supply (60,000) by supply obligation (77,000), and determines that its allocation fraction is 0.779. However, under § 211.163(c)(2), when a supplier's allocation fraction is less than 0.8, the allocation level for its space heating end-users and wholesale purchaser-consumers becomes eighty-eight percent of base period use, not subject to an allocation fraction. Since Supplier A must supply Firm B at this new allocation level, it must recalculate its allocation fraction for purposes of supplying Firms C and D.

Firm B's new allocation requirement for January is its base period use (20,000) times eighty-eight percent, or 17,600 gallons. Supplier A's new supply obligation is the sum of its purchasers' allocation requirements (17,600 + 30,000 + 25,000 = 72,600) minus amounts supplied to purchasers under allocation levels not subject to an allocation fraction (17,600 gallons to be supplied Firm B), or 55,000 gallons. Supplier A's new allocable supply is its total supply (60,000) less amounts supplied under allocation levels not subject to an allocation fraction (17,600), or 42,400 gallons. Supplier A's allocation fraction is therefore 42,400/55,000 or 0.771, and Supplier A will distribute its residual fuel oil as follows:

Firm B:	20,000 x .880 =	17,600
Firm C:	30,000 x .771 =	23,127
Firm D:	25,000 x .771 =	19,273
		60,000

The FEA has determined that the effect of this amendment will not be so pervasive as to be likely to have a substantial impact on the nation's economy or large number of individuals or businesses, and that therefore it is not necessary to afford an opportunity for oral presentation of views on the amendment. It is evident that the increase in the allocation level for space heating tends to be offset by the application of the supplier's allocation fraction, and that other factors still in effect operate to restrain demand. Therefore the FEA does not forecast a significant overall increase in demand for residual fuel oil in the aggregate or as to individual businesses as a result of this amendment. Thus the impact with respect to expenditure as well as supply availability on businesses which supply and use residual fuel oil and individual users does not appear to be substantial. It should also be noted that the comments received in response

to the notice of proposed rulemaking presented no data, views or arguments suggesting a contrary conclusion or which would otherwise support such a determination.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, Part 211 of 10 CFR Chapter II is amended as set forth below, effective January 1, 1975.

Issued in Washington, D.C., December 20, 1974.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

1. Section 211.163 is amended by revising paragraphs (b) and (c) to read as follows:

§ 211.163 Allocation levels.

(b) Allocation levels not subject to an allocation fraction. (1) One hundred (100) percent of current requirements for the following uses:

- (i) Agricultural production;
- (ii) Department of Defense use as specified in § 211.26; and
- (iii) Space heating requirements of medical and nursing buildings.

(2) The allocation level as specified each month by the FEA for utility use. In specifying the allocation levels for each utility the FEA may include but is not limited to the following considerations:

- (i) Each utility within appropriate groupings shall absorb an equal percentage cutback in electricity generation, to the maximum extent possible.
- (ii) The fact that electric generating plants which now burn residual fuel oil have been identified by the FEA as candidates for conversion to coal, and the maximum possible extent to which such plants could be utilized after conversion.

(iii) The extent to which any electric generating plants which burn coal may be utilized more fully than at present.

(iv) The extent to which certain minimal levels of residual fuel oil consumption are essential, as determined by the FEA upon recommendation of the Federal Power Commission (FPC) to supply portions of a power system requirement that cannot be supplied by non-oil fired generation, or for other special considerations. Any volumes so identified shall be counted as part of a utility's total allocation.

(v) The extent to which utilities currently utilize natural gas supplies under interruptible contracts and the extent to which supplies have been interrupted.

(vi) Available stocks of residual fuel oil held by each utility.

(c) Allocation levels subject to an allocation fraction. (1) One hundred (100) percent of current requirements (as reduced by application of an allocation fraction) for the following uses:

- (i) Energy services;
- (ii) Energy production;

(iii) Manufacture of ethical drugs and related research;

(iv) Non-military marine shipping, foreign and domestic (except cruise ships carrying passengers for recreational purposes). Sales to vessels engaged in the foreign trade of the United States shall be made on a non-discriminatory basis in regard to flag of registration, subject to modification by the FEA following consultation with appropriate Federal agencies on a case-by-case basis if required to encourage reciprocal non-discriminatory allocation of bunker fuel in foreign ports to vessels engaged primarily in the foreign trade of the United States;

(v) Sanitation services;

(vi) Telecommunications services;

(vii) Passenger transportation services.

(2) One hundred ten (110) percent of base period use (as reduced by application of an allocation fraction) for space heating requirements, except that whenever the allocation fraction of a supplier which supplies end-users and wholesale purchaser-consumers pursuant to this allocation level is less than 0.8, that supplier shall supply the space heating requirements of those end-users and wholesale purchaser-consumer at an allocation level of eighty-eight (88) percent of base period use, not subject to an allocation fraction.

(3) One hundred (100) percent of base period use for industrial use and all other users and uses of residual fuel oil not included in paragraph (b) or (c) (1) or (2) of this section.

§ 211.166 [Amended]

2. Section 211.166 is amended by deleting paragraph (e) in its entirety and paragraph (c) is amended by deleting the sentence, "With respect to space heating uses, suppliers must comply, to the fullest extent practicable, with the provisions of paragraph (e) of this section."

[FR Doc.74-30135 Filed 12-23-74;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS, ORGANISMS AND VECTORS

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

On June 17, 1974, a notice of proposed amendments to Part 113 was published in the FEDERAL REGISTER at 39 FR 20980.

These amendments codify in Part 113 test methods, procedures, and criteria established by Veterinary Services for evaluating biological products to be pure, safe, potent, and efficacious and not to be worthless, contaminated, dangerous, or harmful. All products shall meet the applicable requirements before marketing release is authorized.

These requirements have been developed over a period of years in coopera-

tion with interested members of the scientific society and, for the most part, have been utilized by industry either as accepted requirements or as proposals under development.

The publication of these requirements is done to make more readily available to the general public these requirements which now appear in administrative memorandums.

These amendments revise the sterility tests in § 113.27 by adding an alternate test which may be used to test live viral vaccines of chicken embryo origin recommended for use in a manner other than parenteral injection.

After due consideration of all relevant matters, including the proposal set forth in the aforesaid notice of rulemaking, and the constructive and helpful suggestions received from 21 sources, including representatives of the biologics industry, revisions of the material proposed were made for clarification of the procedures to be followed, scientific accuracy of the terminology used and adjustments in time periods and dates for completion of specified test requirements.

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (U.S.C. 151-158), the amendments of Part 113, Subchapter E, Chapter 1, Title 9 of the Code of Federal Regulations, as contained in the aforesaid notice are hereby adopted and are set forth herein subject to the following noted modifications:

The effective dates for having the Master Seed Virus requirements completed have been extended. Requirements for bronchitis vaccine and Marek's disease vaccine are to be completed by June 1, 1975. Those for rabies vaccine, avian encephalomyelitis vaccine, avian pox vaccine, fowl laryngotracheitis vaccine, and Newcastle disease vaccine are to be completed by January 1, 1976.

The number of test birds required for testing the Master Seed Virus for avian encephalomyelitis vaccine, avian pox vaccine, fowl laryngotracheitis vaccine and Newcastle disease vaccine has been reduced to conform with the requirements for bronchitis vaccine. The proposed method of judging the tests has been changed from a proposed percentage of protection to a stated number of birds to be protected depending upon the number of birds used by the licensee. These changes are made to statistically validate the tests and to also conform with the requirements for bronchitis vaccine. Affected paragraphs are hereinafter noted.

The time interval between the first retest of the Master Seed Virus and subsequent retests has been increased to 5 years as a result of the storage qualities evidenced by the first retests of some Master Seed Viruses. Affected paragraphs are hereinafter noted.

The incubation requirements for samples of poultry vaccines have either been adjusted by reducing the incubation time or deleting the requirements as indicated from additional stability information received with the comments. The paragraphs affected are hereinafter noted.

Section 113.27 (a) and (d) have been reworded to permit the use of the test in (a) or the test in (d) for vaccines of chicken embryo origin recommended for use in a manner other than parenteral injection. Section 113.27(d) has been further changed by deleting the proposed test using Trypticase Soy Agar.

The lead paragraph in § 113.127(a) has been reworded to limit the samples to completed product from each serial instead of samples from each serial or subserial. The required samples for § 113.127 (b) have been clarified by inserting the words "from each serial" to prevent conflict with the general statement in the lead paragraph for § 113.127.

The words "of disease" have been inserted in § 113.128(a) for clarity. Subparagraph designations in § 113.128(b) have been changed from (i), (ii), and (iii) to (1), (2), and (3), respectively. The spelling of "infection" in subparagraph (b) (2) has been corrected.

The requirements in § 113.129(a) (3) have been changed to require only the testing of primary cell cultures. Section 113.129(b) (1) has been reworded for clarity. Section 113.129(b) (3) has been changed to permit injections other than intramuscular and § 113.129(b) (4) has been changed to permit a variation in the bleeding days for test animals.

Sections 113.129(b) (5) (ii), 113.129(b) (6) and 113.129(d) (1) (i) have been reworded for clarity. Also, the second and subsequent retests of the Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.129 (b) (6).

Spelling of the word "accordance" has been corrected in § 113.129(d) (2) (i). The requirement of 0.3 in § 113.129(d) (3) has been deleted so the test requirements can be written in the Outline of Production.

Where the name "feline distemper" appeared in § 113.139, the name "feline panleukopenia" has been substituted for scientific accuracy.

Section 113.139(b) (2) (ii) has been changed to clarify the physical requirements of the harvested embryo material. Section 113.139(c) (1) (i) has been reworded to clarify the serum dilution to be used, to relax the virus requirements, and to make (i) or (ii) optional by changing "and" to "or." Section 113.139(c) (2) has been changed to permit the use of methods other than the proposed fluorescent antibody method and to correct the test designation.

Febrile response requirement has been deleted from § 113.139(c) (3) (i) and the white blood cell count requirement has been changed to conform with the requirements in § 113.123(b) (3).

The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.139(c) (4).

Section 113.139(d) (1) (i) has been relaxed to permit the use of healthy cats. Section 113.139(d) (2) has been reworded to conform with the change made in § 113.139(c) (2).

Editorial corrections have been made in the lead paragraph of § 113.140(b) and in § 113.140(b) (2). Section 113.140(b) (3)

has been reworded to permit use of containers other than Leighton tubes. § 113.140(c) (1) has been reworded to clarify the serum dilution to be used and to relax the virus requirements. Section 113.140(c) (2) has been changed to permit the use of methods other than the proposed cytopathic effect method and to correct the test designation.

Section 113.140(d) (2) has been reworded to conform with § 113.140(c) (2). The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.140(c) (4) and § 113.141(c) (4).

Section 113.141(b) (2) (ii) has been reworded to permit use of containers other than Leighton tubes. Section 113.141(c) (1) has been reworded to clarify the serum dilution to be used and to relax the virus requirements.

Section 113.141(c) (2) has been changed to permit the use of methods other than the proposed fluorescent-antibody method and to correct the test designation. The words "canine distemper" have been substituted in § 113.141(c) (3) (ii) for "disease" for clarity. Section 113.141(d) (2) has been reworded to conform with the change made in § 113.141(c) (2).

The lead paragraph in § 113.142(a) has been reworded to permit the use of a virus identity test other than the two prescribed in § 113.135(c) (2).

Section 113.142(b) (2) has been reworded to permit use of containers other than Leighton tubes. Section 113.142(c) (1) has been reworded to clarify the serum dilution to be used and to relax the virus requirements. The word "samples" has been changed to "sample" in § 113.142(c) (2) and the test designation corrected.

The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in §§ 113.142(c) (4), 113.143(b) (5) and 113.144(c) (9).

The lead paragraph in § 113.142(d) has been reworded to conform with the lead paragraph in § 113.142(a).

Section 113.143(c) (1) has been reworded for clarity and to provide for a repeat test. Section 113.143(c) (1) (iii) and (iv) have been reworded and redesignated as part of § 113.143(c) (1) (ii) for accuracy and clarity.

Section 113.144(c) (1) (i) has been reworded to clarify the serum dilution to be used and to relax the virus requirements. Section 113.144(c) (2) has been changed to permit the use of methods other than the proposed cytopathic effect method or hemadsorption method and to correct the test designation.

Sections 113.144(c) (3), (4), and (5) have been reworded to clarify the observation time requirements for the test animals. Section 113.144(c) (6) (ii) has been relaxed to permit checking for antibodies at two weeks post-vaccination.

The lead paragraph in § 113.144(d) and subparagraph § 113.144(d) (1) have been reworded to make the Brucella test requirements applicable only to primary cells.

The guinea pig safety test in § 113.38 has been deleted from §§ 113.144(d) (2)

and 113.144(d) (3) has been reworded to conform with § 113.144(c) (2).

Section 113.145(c) (1) has been reworded to clarify the serum dilution to be used. Section 113.145(c) (2) has been changed to permit the use of methods other than the proposed plaque formation method and to correct the test designation.

Sections 113.145(c) (3) and 113.145(c) (4) have been reworded for clarity and to relax the virus requirements.

The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in §§ 113.145(c) (8) and 113.146(c) (7).

The lead paragraph in § 113.145(d) and subparagraph § 113.145(d) (1) have been reworded to make the Brucella test requirements applicable only to primary cells.

The guinea pig safety test in § 113.38 has been deleted from §§ 113.145(d) (2) and 113.145(d) (3) has been reworded to conform with § 113.145(c) (2).

Section 113.146(c) (1) has been reworded to clarify the serum dilution to be used and to relax the virus requirements. Section 113.146(c) (2) has been changed to permit the use of methods other than the proposed fluorescent antibody method and to correct the test designation.

Sections 113.146(c) (3), 113.146(c) (4), and 113.146(c) (5) have been reworded for clarity and to relax the virus requirements.

The lead paragraph in § 113.146(d) and subparagraph § 113.146(d) (1) have been reworded to make the Brucella test requirements applicable only to primary cells.

The guinea pig safety test in § 113.38 has been deleted from § 113.146(d) (2) and § 113.146(d) (3) has been reworded to conform with § 113.146(c) (2).

The lead paragraph in § 113.147(a) (3) has been changed to limit the test requirements for LCM virus. The lead paragraph in § 113.147(a) (4) has been reworded to clarify the purpose of the requirement. § 113.147(a) (4) (i) has been reworded to clarify the serum dilution requirement. Section 113.147(a) (4) (ii) has been changed to correct the virus dose. An editorial change has been made in § 113.147(a) (4) (iii). Section 113.147(a) (5) (i) has been reworded for clarity and § 113.147(a) (5) (ii) has been changed to correct the virus dose.

The test designation has been corrected in § 113.147(b) (1). The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.147(b) (7) and reworded to relax certain test requirements. Subdivisions § 113.147(b) (7) (i) and (ii) have been added.

Section 113.147(d) (1) (i) has been changed to limit the requirements to vaccine of avian origin and § 113.147(d) (1) (ii) has been changed to make the proposed test optional with the safety test in § 113.40 as the alternative.

The lead paragraphs in §§ 113.160, 113.161, 113.162, 113.163, 113.64, and 113.165 have been changed to permit use of the first through the fifth passage from the Master Seed Virus.

The number of test birds prescribed in § 113.160(c) (1) has been changed from thirty or more to twenty or more. The word "paralyzed" has been substituted for "crippled" in § 113.160(c) (2) (iii) as being a more accurate designation. Section 113.160(c) (4) has been reworded to conform to the reduced number of test birds.

The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in §§ 113.160(c) (5), 113.161(c) (5), and 113.162(c) (4).

The term "titration method" has been substituted for "procedures" for clarity and the sample incubation requirement has been deleted from § 113.160(d) (1). A printing error in § 113.160(d) (2) has been corrected.

Section 113.160(e) (1) has been reworded to retain a sample incubation requirement for release but not for testing during the expiration period. Subdivisions § 113.160(e) (1) (i) and (ii) have been added and the virus titer requirements have been reduced to $10^{5.5}$ EID₅₀ to conform with 113.160(d) (2). Section 113.161(a) has been reworded to exempt the virus from § 113.135(c). The number of test birds prescribed in § 113.161(c) (1) has been changed from thirty or more to twenty or more. The observation period in § 113.161(c) (3) has been reduced to 10 days. Section 113.161(c) (4) has been reworded to conform to the reduced number of test birds.

The lead paragraph in § 113.161(d) has been reworded to exempt the vaccine from § 113.135(c). The term "titration method" has been substituted for "procedures" in § 113.161(d) (1). Section 113.161(d) (1) (i) has been deleted and § 113.161(d) (1) (ii) has been combined with the lead paragraph in § 113.161(d) (1). A repeat test has been provided for in § 113.161(d) (2).

The lead paragraph in § 113.161(e) has been reworded to exempt the vaccine from § 113.135(c). Section 113.161(e) (1) has been rewritten to retain a sample incubation requirement for release but not for testing during the expiration period.

Inconclusive test has been substituted for unsatisfactory test in § 113.162(b). Section 113.162(c) (3) (i) has been rewritten and the word "stored" deleted from the last sentence of § 113.162(c) (3) (iii) for clarity. Section 113.162(c) (3) (iv) has been rewritten to conform with required number of embryos prescribed in (iii), to clarify the conditions for a valid test, and provide for evaluation of dead embryos. The words "Master Seed Virus" have been substituted for "virus" in § 113.162(c) (3) (vi) for specificity.

The table in § 113.162(d) (2) (ii) has been condensed to make publication in a column possible. Section 113.162(d) (3) (iii) has been changed by deleting the sample incubation requirement.

The lead paragraph in § 113.163(b) has been rewritten to provide an alternate pathogen test. The number of test birds prescribed in § 113.163(c) (1) has been changed from thirty or more to twenty or more. The word "laboratories" has been deleted from § 113.163(c) (4). Section

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113.163(c) (5) has been rewritten to conform to the reduced number of test birds. The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.163(c) (6).

The lead paragraph in § 113.163(d) has been rewritten to provide an alternate pathogen test in a new (1). The proposed § 113.163(d) (1) has been redesignated as (2) and captioned as "Virus titration." For clarity "titration method" has been substituted for "procedure." Section 113.163(d) has also been changed by deleting § 113.163(d) (1) (i) and redesignating (ii) as (3).

The lead paragraph in § 113.163(e) has been rewritten to conform to changes in § 113.163(d). Section 113.163(e) (1) has been rewritten to retain a sample incubation requirement for release but not for testing during the expiration period.

Editorial changes have been made in § 113.163(e) (2) (iii) for clarity. Section 113.163(e) (3) has been reworded to limit the test requirements to modified live virus vaccine.

Section 113.164(a) has been reworded to exempt the Master Seed Virus from the test in § 113.34. Section 113.164(b) has been reworded to provide for an inconclusive test. The number of test birds prescribed in § 113.164(c) has been changed from thirty or more to 20 or more. Spelling of "vaccine" has been corrected in § 113.164(c) (2). The route of challenge has been added in § 113.164(c) (3) for uniformity. Section 113.164(c) (4) has been rewritten to conform to the reduced number of test birds. The second and subsequent retests of Master Seed Virus for immunogenicity has been changed to a 5 year interval in § 113.164(c) (5).

The lead paragraph in § 113.164(d) has been reworded to exempt Newcastle Disease Vaccine from the test in § 113.34. Section 113.164(d) (1) has been redesignated (2) and reworded for clarity and a new subparagraph (1) inserted to conform with § 113.164(b).

Section 113.164(d) (1) (i) and (ii) have been changed by deleting (i) and redesignating (ii) as (3) and changing the virus titer requirements to $10^{5.5}$ EID₅₀ per dose.

The lead paragraph in § 113.164(e) has been reworded to exempt Newcastle Disease Vaccine from § 113.34. Section 113.164(e) (1) has been rewritten to reduce the virus titer requirements to $10^{5.5}$ EID₅₀ per dose. Section 113.164(e) (i) and § 113.164(e) (1) (i) have been deleted. Section 113.164(e) (1) (ii) has been redesignated as § 113.164(e) (1). The table in § 113.164(e) (4) (ii) has been condensed to make publication in a column possible.

Section 113.165(c) is being reserved at this time. The proposed potency test requirements for the Master Seed Virus for Marek's disease vaccine are being withheld pending further development of a satisfactory challenge virus and procedure. Section 113.165(d) has been corrected to exempt Marek's disease vaccine from the virus identity requirements in § 113.135(c). The proposed 7 day sample

incubation period in § 113.165(d) (3) has been reduced to 3 days.

Part 113, Standard Requirements, of Title 9 of the Code of Federal Regulations, is amended as follows:

§ 113.27 Detection of viable bacteria and fungi in live vaccines.

(a) *Live viral vaccines.* Each biological product composed of live virus shall be tested according to the procedures prescribed in this paragraph: *Provided*, That, a biological product of chicken embryo origin recommended for use in a manner other than parenteral injection may be tested in accordance with the test prescribed in paragraph (d) of this section.

(d) *Live viral vaccines of chicken embryo origin recommended for use in a manner other than parenteral injection which have not been found free of bacteria and fungi by the procedures prescribed in paragraph (a) of this section may be tested according to the procedures prescribed in this paragraph.*

(1) The medium shall be Brain Heart Infusion Agar with 500 Kinetic (Kersey) units of penicillinase per ml of medium added to the agar just prior to pouring the plates.

(2) Test procedures. (i) Ten final container samples of completed product from each serial and each subserial shall be tested using the medium prescribed in paragraph (d) (1) of this section.

(ii) Immediately prior to starting the test, frozen liquid vaccine shall be thawed, and lyophilized vaccine shall be rehydrated to the quantity recommended on the label using sterile distilled water or accompanying sterile diluent. Product recommended for mass vaccination shall be rehydrated at the rate of 30 ml sterile distilled water per 1000 doses.

(iii) From each sample, two plates shall be inoculated with vaccine equal to 10 doses as recommended for poultry or one dose as recommended for other animals.

(iv) Twenty ml of medium shall be added to each plate.

(v) One plate shall be incubated at 30-35° C for seven days and the other plate shall be incubated at 20-25° C for 14 days.

(vi) Colony counts shall be made for each plate. An average colony count for the ten samples representing a serial or subserial shall be computed for each incubation condition.

(vii) If the average count at either incubation condition for a serial or subserial exceeds one colony per dose for vaccines recommended for poultry or ten colonies per dose for vaccines recommended for other animals, the serial or subserial is unsatisfactory.

§ 113.127 Encephalomyelitis Vaccine, Eastern and Western, Killed Virus.

Encephalomyelitis Vaccine, Eastern and Western, Killed Virus, shall be prepared from virus-bearing cell culture fluids. Except for § 113.120(d), each serial and subserial shall meet the general

requirements prescribed in § 113.120 and the requirements prescribed in this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(a) *Safety test.* Bulk samples of completed product from each serial shall be tested for encephalomyelitis virus inactivation.

(1) Each of at least ten 6 to 12 hour old chickens shall be injected subcutaneously with 0.5 ml of the product and the chickens observed each day for 10 days.

(2) If unfavorable reactions attributable to the product occur in the chickens during the observation period, the serial is unsatisfactory. If unfavorable reactions not attributable to the product occur, the test is inconclusive and may be repeated: *Provided*, That, if the test is not repeated, the serial is unsatisfactory.

(b) *Potency tests.* Bulk or final container samples of completed product from each serial shall be tested for potency as provided in this paragraph. For these tests, a guinea pig dose shall be one-half the amount recommended on the label for a horse and shall be administered as recommended for a horse except for the interval between the first and second dose.

(1) *Eastern Type Fraction.* Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 14 to 21 days between doses. Two additional guinea pigs from the same source shall be held as controls.

(i) Fourteen to twenty-one days after the second inoculation, serum samples from each of the vaccinates and the controls shall be tested by the plaque reduction serum neutralization test.

(ii) If the control serum samples show a titer greater than 1:2, the test is inconclusive and may be repeated: *Provided*, That, if at least nine of the vaccinee serum samples do not show a titer of 1:4 or greater, the serial or subserial is unsatisfactory.

(2) *Western Type Fraction.* Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 7 days between doses. Five additional guinea pigs from the same source shall be held as controls.

(i) Ten to fourteen days after the second dose, at least nine of the 10 vaccinates and the five controls shall be injected intracerebrally with 0.1 ml of a virulent virus suspension and the guinea pigs observed each day for 10 days.

(ii) If at least 80 percent of the controls do not die or show signs of encephalomyelitis during the observation period, the test is inconclusive and may be repeated: *Provided*, That, if more than two of the challenged vaccinates die or show signs of encephalomyelitis during the observation period, the serial or subserial is unsatisfactory.

§ 113.128 Avian Encephalomyelitis Vaccine (Killed Virus).

Avian Encephalomyelitis Vaccine (Killed Virus) shall be prepared from virus-bearing tissues or fluids obtained from embryonated chicken eggs. Each serial shall meet the general requirements prescribed in § 113.120 and the re-

quirements prescribed in this section. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Safety tests.* (1) The prechallenge part of the potency test prescribed in paragraph (b) of this section shall constitute a safety test. If any of the vaccines develop clinical signs of disease or die due to causes attributable to the product, the serial is unsatisfactory.

(2) An inactivation test for viable avian encephalomyelitis (AE) virus shall be conducted on each serial. The test shall be conducted using susceptible chicken embryos; *Provided*, That, if a non-embryo adapted virus is used for vaccine production, the test shall be conducted in susceptible chickens.

(i) *Chicken Embryo Test.* Each of 15 or more AE susceptible 5 or 6 day old embryos shall be injected in the yolk sac with 0.2 ml of the vaccine. For a valid test, at least 80 percent of the embryos shall survive for 48 hours post-inoculation (PI). Eleven to 13 days PI, all embryos surviving the 48 hour PI period shall be examined for gross lesions of AE; all these embryos shall be normal or the serial is unsatisfactory. Concurrently, five additional embryos from the same source shall be injected with live AE virus of the production strain to serve as positive controls. At least 4 of the 5 embryos shall show evidence of AE virus infection during the 11 to 13 day PI period or the test shall be considered inconclusive and repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(ii) *Chicken test.* Each of 10 or more AE susceptible 7 day old chickens shall be injected intracerebrally with 0.1 ml vaccine each. The chickens shall be observed each day for 28 days. If any chickens show clinical signs of AE, the serial is unsatisfactory. Concurrently, 5 additional chickens from the same source shall be injected intracerebrally with live AE virus of the production strain to serve as positive controls. At least 4 of the 5 controls shall show evidence of AE virus infection during the observation period or the test shall be inconclusive and may be repeated; *Provided*, That, if the test is not repeated, the serial shall be unsatisfactory.

(b) *Potency test.* Bulk or final container samples of completed product from each serial or one subserial shall be tested. Ten or more AE-susceptible chickens (vaccinates), 4 weeks or older, properly identified and obtained from the same source and hatch, shall be injected as recommended on the label. At least 10 additional AE-susceptible chickens, properly identified and obtained from the same source and hatch shall be kept in isolation as controls.

(1) At least 28 days post-injection, the vaccinates and the controls shall be challenged intramuscularly with a virulent AE virus and the chickens observed each day for 21 days.

(2) If at least 80 percent of the controls do not show clinical signs of or die from AE infection, the test is inconclusive and may be repeated.

(3) If at least 80 percent of the vaccinates do not remain normal, the serial is unsatisfactory.

§ 113.129 Rabies Vaccine (Killed Virus).

Rabies Vaccine (Killed Virus) shall be prepared from virus-bearing cell cultures or nerve tissues obtained from animals that have developed rabies infection following injection with rabies virus. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(1) Each lot of Master Seed Virus shall be tested for viral agents by procedures prescribed in § 113.52(d) (4), (5), and (6) with the modification that one ml of Master Seed Virus is substituted for the one ml aliquot of disrupted cells.

(2) Each lot of Master Seed Virus propagated in tissue or cells of avian origin shall also be tested for extraneous pathogens by procedures prescribed in § 113.37.

(3) Each lot of Master Seed Virus propagated in primary cell cultures of hamster origin or brain tissues of mouse origin shall be tested for lymphocytic choriomeningitis (LCM) virus by the procedure for testing vaccine prescribed in subparagraph (d) (1) of this section. If LCM virus is detected, the Master Seed Virus is unsatisfactory. Vaccine virus may be neutralized with specific antiserum when necessary.

(b) The immunogenicity of the lot of Master Seed Virus shall be established in all species for which the vaccine is recommended.

(1) Thirty-five animals of each species shall be used as test animals (25 vaccinates and 10 controls). Blood samples shall be drawn from these animals and individual sera tested. Only animals which are negative at 1:2 final serum dilution for neutralizing antibodies to rabies shall be used.

(2) The preinactivation virus titer shall be established by at least five separate virus titrations. A mean relative potency value of the vaccine used in the host animal potency test shall be established by at least five replicate potency tests conducted in accordance with the National Institutes of Health test for Potency in Chapter 33 of *Laboratory Techniques in Rabies*, 1973 Edition, World Health Organization, Geneva. The volumetric method of calculation shall be used.

(3) Each of 25 vaccinates shall be injected with one dose as recommended on the label. A second such dose may be injected 30 days after the first dose unless the test is intended to qualify the vaccine for label recommendations which specify a single dose for primary immunization.

(4) On or about days 30, 60, 90, 180, 270, and 365 post-injection, all test animals shall be bled and individual sera tested for neutralizing antibodies to rabies virus.

(5) Virulent street virus shall be furnished or approved by Veterinary Services. One year after the last dose of vaccine, challenge virus shall be injected bilaterally into the masseter muscles and the animals observed each day for 90 days as prescribed in § 113.5(b).

(i) When cattle, horses, sheep, and goats are the test animals, the immunity of the five vaccinates having the lowest titers shall be challenged; *Provided*, That, all vaccinates with titers below 1:5 shall be challenged. The remainder of the vaccinates may be challenged at a later date and the results included in the criteria used to establish a satisfactory Master Seed Virus.

(ii) When species other than those specified in subdivision (i) of this subparagraph are used for test animals, all vaccinates shall be challenged.

(iii) If at least 80 percent of the controls do not die from rabies during the observation period, the test is inconclusive.

(iv) If at least 85 percent of the challenged vaccinates do not remain well during the observation period, the Master Seed Virus is unsatisfactory.

(6) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest and the retest may be limited to serological response of the vaccinates if such response is equal to or greater than that in the original immunogenicity test.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) If more than 1 year duration of immunity is to be claimed, a duration of immunity test for the additional time shall be conducted as prescribed in subparagraph (b) (5) of this section for the 1 year test. At least 25 vaccinates shall be selected at the time the test is started for each challenge period. The test animals may be monitored serologically and the time of challenge adjusted accordingly. A duration of immunity test shall be considered satisfactory if 85 percent of the vaccinates are shown to be immune.

(d) Test requirements for release: Each serial and each subserial shall meet the general requirements prescribed in § 113.120 and special requirements in this paragraph.

(1) *Purity test.* (i) Primary cell cultures of hamster origin or brain tissues of mouse origin used in vaccine production shall be tested for LCM virus. Hamster origin cells shall be disrupted and undiluted cell fluids from each lot shall be tested. Where mouse brains are used in production, at least five mice which have not been injected with rabies virus shall be sacrificed and

a 10 percent suspension of brain material shall be prepared and tested as follows:

(ii) Each of at least 10 mice obtained from a source free of LCM shall be injected in the foot pad of a hind foot with 0.02 ml and the mice observed each day for 21 days.

(iii) If any of the mice show swelling in the injected foot pad or if more than one becomes systemically abnormal, the serial or subserial is unsatisfactory.

(2) *Safety tests.* Bulk samples from each serial shall be tested for virus inactivation and safety as follows:

(i) At the end of the inactivation period, each of 20 12 to 16 gram mice shall be injected intracerebrally with 0.03 ml and two rabbits shall be injected into each cerebral hemisphere with 0.25 ml and observed each day for 21 days. The brains of animals dying between the fourth and 21st day post-injection shall be checked for rabies virus. Material from each brain recovered shall be injected into each of five mice and the mice observed each day for 14 days. The fluorescent antibody test or serum neutralization test shall be used to confirm the presence or absence of live rabies virus. If live rabies virus is confirmed, the serial is unsatisfactory unless reprocessed in accordance with § 114.18.

(ii) Each of three young (less than 6 months of age) seronegative animals of one species for which the vaccine is recommended shall be injected in the manner and dosage for primary immunization stated on the label. If one dose is used, the animals shall be observed each day for 30 days. If two doses are used, the animals shall be observed each day for 14 days after the second dose. If unfavorable reactions attributable to the product occur, the serial is unsatisfactory.

(3) *Potency test.* Bulk or final container samples of complete product from each serial shall be tested for potency by the National Institutes of Health Test described in Chapter 33, *Laboratory Techniques in Rabies*, 1973 edition, World Health Organization, Geneva. The volumetric method of calculation shall be used. The relative potency of each serial shall be at least equal to that used in an approved host animal potency study. Until such host animal potency study is approved, potency tests shall be in accordance with the filed Outline of Production.

§ 113.139 Feline Panleukopenia Vaccine.

Feline Panleukopenia Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable general requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other agents as follows:

(1) To detect virulent feline panleukopenia virus or virulent mink enteritis virus, each of two feline panleukopenia susceptible cats, as determined by the criteria prescribed in paragraph (c)(1) of this section, shall be injected subcutaneously with the equivalent of one cat dose each and the cats observed each day for 21 days. If either or both cats show signs of disease or reduced white blood cell counts below 50 percent of the normal level established by an average of three or more counts taken prior to injection, the Master Seed Virus is unsatisfactory.

(2) To detect chlamydial agents, the yolk sac of 6 day old chicken embryos shall be injected. Three groups of 10 embryos shall be used sequentially.

(i) The inoculum for each embryo in the first group shall consist of 0.5 ml of a mixture of equal parts of the seed virus with phosphate buffered saline containing 2 mg/ml each of Streptomycin, Vancomycin, and Kanomycin.

(ii) On the tenth day post-inoculation, the yolk sacs of viable embryos shall be harvested, pooled, homogenized as a 20 percent suspension in phosphate buffered saline antibiotic diluent, and 0.5 ml of the mixture injected into the second group of chicken embryos. This process shall be repeated for the injection of the third group of embryos using the yolk sacs of viable embryos from the second group.

(iii) For each of the three passages, embryos deaths occurring within 48 hours of injection shall be disregarded except that if more than three such deaths occur at any passage, that passage shall be repeated.

(iv) If one or more embryo deaths occur at any passage after 48 hours post-injection, the yolk sacs from each of the dead embryos shall be subcultured into 10 additional embryos. If embryo deaths again occur, the seed virus is disqualified for use to produce vaccine.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five feline panleukopenia susceptible cats shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. The cats shall be considered susceptible if:

(i) The results are negative at a 1:2 final serum dilution in a virus neutralization test with less than 500 TCID₅₀ of feline panleukopenia virus; or

(ii) A total leukocyte count of less than 4,000 occurs in a littermate challenged with virulent feline panleukopenia virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 cats used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five cats held as uninjected controls. To confirm the dosage

calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Fourteen days post-injection, the vaccinates and the controls shall be challenged with virulent feline panleukopenia virus furnished by Veterinary Services and the cats observed each day for 14 days.

(i) If at least 80 percent of the controls do not show clinical signs of feline panleukopenia, the test is inconclusive and may be repeated. Symptoms shall include a pronounced leukopenia wherein the white blood cell count drops to less than 25 percent of the normal level established by an average of three or more counts taken prior to challenge.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of feline panleukopenia or a pronounced drop in white blood cell count during the observation period, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria prescribed in paragraph (c)(3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) *Test requirements for release.* Each serial and subserial shall meet the requirements prescribed in § 113.135 and in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Safety tests.* The mouse safety test prescribed in § 113.33(a) and the cat safety test prescribed in this subparagraph shall be conducted.

(i) Each of two healthy cats shall be injected with 10 cat doses by the method recommended on the label and the cats observed each day for 14 days.

(ii) If unfavorable reactions attributable to the biological product occur during the observation period, the serial is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated; *Provided*, That, if not repeated, the serial shall be unsatisfactory.

(2) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer of 0.7 logs greater than that used in such immunogenicity test but not less than 10^{3.0} ID₅₀ per dose when tested by the method used in paragraph (c) (2) of this section.

§ 113.140 Canine Hepatitis Vaccine.

Canine Hepatitis Vaccine shall be prepared from virus bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used in preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents as follows:

(1) To detect wild infectious canine hepatitis virus, each of two canine hepatitis susceptible dogs or foxes shall be injected intravenously with 2.0 ml of the seed virus and observed each day for 21 days. If clinical signs or deaths due to infectious canine hepatitis occur in either test animal during the observation period the seed virus is unsatisfactory.

(2) To detect virulent canine distemper virus, each of 2 ferrets known to be susceptible to canine distemper virus shall be injected with 1.0 ml of the seed virus and observed each day for 21 days. If clinical signs or deaths due to canine distemper occur in either test animal during the observation period, the seed virus is unsatisfactory.

(3) To detect canine distemper virus, 10 Leighton tubes containing coverslips or equally suitable cell culture vessels shall be seeded with any type cell that is susceptible to canine distemper virus. When the cell growth is satisfactory, each of five vessels shall be inoculated with 0.2 ml mixture of seed virus and antiserum (equal volumes of virus and monospecific high titer infectious canine hepatitis antiserum). Seven to ten days later, all the cell cultures shall be stained with a canine distemper specific fluorescent antibody. If all the cell cultures are not negative for specific viral staining, the seed virus is unsatisfactory. Positive virus controls shall be included.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus being tested shall be established as follows:

(1) Twenty-five canine hepatitis susceptible dogs shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 final serum dilution in a varying serum-constant virus neutralization test with less than 500 TCID₅₀ of infectious canine hepatitis virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 dogs to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage

calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Not less than fourteen days post-injection, the vaccinates and the controls shall each be challenged intravenously with virulent infectious canine hepatitis virus and observed each day for 14 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of infectious canine hepatitis and infectious canine hepatitis virus is not isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of infectious canine hepatitis during the observation period, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria prescribed in paragraph (c) (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the general requirements prescribed in § 113.135 and special requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) The dog safety test prescribed in § 113.40 and the mouse safety test prescribed in § 113.33 (a) shall be conducted.

(2) Potency test: An in vitro potency test shall be conducted. To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than 10^{4.0} TCID₅₀ per dose when tested by the method used in paragraph (c) (2) of this section.

§ 113.141 Canine Distemper Vaccine (Ferret Avirulent).

Canine Distemper Vaccine (Ferret Avirulent) shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents as follows:

(1) To detect wild canine distemper virus, each of two canine distemper susceptible ferrets shall be injected with a sample of the Master Seed Virus equivalent to the amount of virus to be used in one dog dose and observed each day for 21 days. If undesirable reactions occur in either ferret, the lot of Master Seed Virus is unsatisfactory.

(2) To detect infectious canine hepatitis virus, the two tests prescribed in this subparagraph shall be used.

(i) Each of two infectious canine hepatitis susceptible dogs or foxes shall be injected with 0.05 ml of the Master Seed Virus into the anterior chamber of one eye and examined each day for 14 days for corneal opacity. If the eyes do not remain clear, the Master Seed Virus is unsatisfactory.

(ii) Ten Leighton tubes containing coverslips or equally suitable cell culture vessels shall be seeded with any type cell that is susceptible to infectious canine hepatitis virus. When the cell growth is satisfactory, each of five tubes shall be inoculated with 0.1 ml of the Master Seed Virus. Seven to ten days later, all the cell cultures shall be stained with infectious canine hepatitis specific fluorescent antibody. If all cell cultures are not negative, the Master Seed Virus is unsatisfactory. A positive control shall be used for comparison.

(3) Master Seed Virus propagated in chicken embryos shall be tested for pathogens by the chicken embryo test prescribed in § 113.37. If found unsatisfactory, the Master Seed Virus shall not be used.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five canine distemper susceptible dogs shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 final serum dilution in a varying serum-constant virus neutralization test with less than 500 ID₅₀ of canine distemper virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 dogs used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) At least twenty-one days post-injection, the vaccinates and the controls shall each be challenged intracerebrally with the same size dose of Snyder Hill canine distemper virus furnished by Veterinary Services and observed each day for 21 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of canine distemper and canine distemper virus isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of canine distemper during the observation period, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria prescribed in paragraph (b) (3) of this paragraph.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Safety tests.* The dog safety test prescribed in § 113.40 and the mouse safety test prescribed in § 113.33(a) shall be conducted.

(2) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{2.0}$ ID₅₀ per dose when tested by the method used in paragraph (c) (2) of this section.

§ 113.142 Canine Distemper Vaccine (Ferret Virulent).

Canine Distemper Vaccine (Ferret Virulent) shall be prepared from virus-bearing cell culture fluids or virus-bearing tissues obtained from ferrets that have developed canine distemper following inoculation with canine distemper virus. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be produced from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the special requirements prescribed in this section: *Provided*, That, the virus identity test in paragraphs (a) (1) and (2) of this section may be conducted instead of either test prescribed in § 113.135(c).

(1) Dogs used in the safety test in § 113.40 shall be bled prior to injection and 14 to 21 days post-injection and in-

dividual serum samples prepared. When tested by a serum-neutralization method (constant virus, 100 to 500 EID₅₀, varying serum), each sample shall show serological conversion by a four-fold increase in antibodies.

(i) Chorioallantoic membranes of five 6 to 8 day old chicken embryos shall each be inoculated with 0.2 ml of the virus-antiserum mixture and a like number similarly inoculated with 0.2 ml of the virus-diluent mixture.

(ii) Absence of evidence of virus on the membranes inoculated with virus-serum mixtures demonstrates specific neutralization, provided evidence of virus on the membranes inoculated with the virus-diluent mixture is demonstrated.

(2) Ferret virulence shall be demonstrated by the virus titration conducted in susceptible ferrets.

(b) The lot of Master Seed Virus shall be tested for other viral agents as follows:

(1) To detect infectious canine hepatitis virus each of two infectious canine hepatitis susceptible dogs or foxes shall be injected with 0.05 ml of the test virus into the anterior chamber of one eye. The dogs shall be examined each day for 14 days for corneal opacity characteristic of infectious canine hepatitis. To be satisfactory, the eyes shall remain clear.

(2) Ten Leighton tubes containing coverslips or equally suitable cell culture vessels shall be seeded with any type cell that is susceptible to infectious canine hepatitis. When cell growth is satisfactory, each of five vessels shall be inoculated with 0.1 ml of test virus. Seven to ten days later, all the slides shall be stained with infectious canine hepatitis fluorescent tagged specific antibody. To be satisfactory, all slides shall be negative. A positive control shall be included.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five canine distemper susceptible dogs shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 final serum dilution in varying serum-constant virus neutralization test with less than 500 ID₅₀ of canine distemper virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by a ferret injection method before the immunogenicity test is conducted. The 20 dogs used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage calculations, a replicate virus titration shall be conducted on a sample of the vaccine virus dilution used. A satisfactory titration shall have at least one dilution having between 50 percent and 100 percent

positives and at least one dilution having between 50 percent and 0 percent positives. At least 10 ferrets shall be used per dilution.

(3) Twenty-one days post-injection, the vaccinates and the controls shall each be challenged intracerebrally with the same size dose of Snyder Hill canine distemper virus furnished by Veterinary Services. The test animal shall be observed each day for 21 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of canine distemper and canine distemper virus isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of disease during an observation period of 21 days, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria prescribed in paragraph (c) (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the general requirements prescribed in § 113.135, except that the virus identity test prescribed in paragraphs (a) (1) and (2) of this section may be used instead of tests prescribed in § 113.135(c), and the requirements in this paragraph. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* Primary dog kidney cells which have been tested as prescribed in § 113.51 covering an area equal to two glass or plastic flasks (150 cm² total) and Vero cells covering an area equal to one glass or plastic flask (75 cm² total) shall be used for testing for extraneous viral agents as follows:

(i) Harvesting bulk untreated material consisting of ferret spleen suspension or ferret kidney tissue culture fluids or both shall be inoculated onto the monolayers in amounts equal to five percent of the amount of maintenance media in the flasks. The inoculum shall be allowed to adsorb for 2 hours and then be removed.

(ii) The cells shall be washed with phosphate buffered saline (PBS) and maintenance media added. Twenty-four hours later the media may be changed if there is evidence of cytotoxicity from the inoculum.

(iii) All cultures shall be observed each day for 14 days after inoculation for cytopathic effect (CPE). Subcultures shall be conducted if necessary.

(iv) If there is no CPE, one of the primary dog kidney cell monolayers shall be washed in several changes of PBS and tested by successive hemadsorption tests using 0.2 percent human O, guinea pig,

and chickens erythrocytes. After each appropriate incubation period, the cells shall be observed for hemadsorption indicating presence of a virus.

(v) The second primary dog kidney monolayer shall be subcultured in Leighton tubes with coverslips for appropriate fluorescent antibody tests.

(vi) If extraneous viral agents are detected, the serial or subserial shall not be released.

(2) *Safety tests.* Final container samples of completed product from each serial shall be tested for safety in dogs as prescribed in § 113.40 and in mice as prescribed in § 113.33(a).

(3) *Potency test.* To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the virus dose used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in the immunogenicity test when tested by the ferret injection method.

§ 113.143 Encephalomyelitis Vaccine, Venezuelan.

Encephalomyelitis Vaccine, Venezuelan, shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) Except for § 113.135(b), the Master Seed Virus shall meet the applicable general requirements in § 113.135 and the requirements prescribed in this section.

(b) The immunogenicity of the lot of Master Seed Virus shall be established as follows:

(1) Tests conducted by the Department have established that horses having Venezuelan Equine Encephalomyelitis antibody titers of 1:20 by the hemagglutination-inhibition (HI) method or 1:40 by the serum neutralization (SN) method were immune to challenge with virulent virus. The immunogenicity test is based on the demonstration of a serological response of at least that magnitude following vaccination of serologically negative horses.

(2) Licensees may use previous experience to select a suitable vaccine dose for the immunogenicity test, based on guinea pig infective doses. The test shall be conducted on vaccine produced according to the Outline of Production from a lot of Master Seed Virus of the highest passage to be used in production.

(3) At least 20 horses (vaccinates), serologically negative to Eastern, Western, and Venezuelan equine encephalomyelitis, shall be injected with the predetermined virus dose. Two additional seronegative animals shall be held with the vaccinates as sentinel controls. At least two guinea pig potency tests shall be conducted with samples of the vaccine dilution used as inoculum for the horses.

(4) All animals shall be bled on vaccination days -14, 0, 14, and 28. For a

test result to be satisfactory, all serum samples taken on days -14 and 0 shall be negative for Venezuelan Equine Encephalomyelitis (VEE) antibodies and at least 19 of the 20 serum samples taken from vaccinates on days 14 or 28 or both shall show antibody titers of at least 1:20 (HI) or 1:40 (SN). The serum samples from the sentinel controls shall be tested and should remain negative to validate the test.

(5) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and two controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria in paragraph (b) (4) of this section.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and special requirements in this paragraph. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) Safety tests. Bulk samples of product completed except for desiccation of bulk samples of each individual virus pool shall be tested as follows:

(i) Each of 10 young adult mice (16 to 20 grams each) shall be injected intraperitoneally with 0.3 ml of the undiluted virus sample and observed each day for 21 days. If unfavorable reactions attributable to the product occur in the mice during the observation period, the product is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test is inconclusive and may be repeated.

(ii) Groups of at least five young adult mice (16 to 20 grams each) shall be injected intracerebrally with 0.03 ml of varying (tenfold 10^0 through 10^{-6}) dilutions of the virus sample and observed each day for 21 days.

(a) Mice dying within 24 hours post-inoculation may be disregarded in interpreting the test, except that at least four mice shall remain in each group for a valid test. Brain tissue of all mice that die after 24 hours shall be reserved for possible subpassage if the first phase of the test is unsatisfactory.

(b) If at least 80 percent of the total number of mice survive and if deaths that occur are not dose related, the virus pool or serial sample is satisfactory: *Provided*, That, if more than 20 percent of the mice die or if deaths appear to be dose related, a 10 percent suspension of pooled brain tissue from all dead mice shall be injected intracerebrally into each of at least 10 mice. If at least 80 percent of the subpassage mice do not survive, the test result is unsatisfactory and the virus pool or serial shall be destroyed.

(2) Final container samples of completed product, rehydrated as recom-

mended on the label, shall be tested in accordance with § 113.33(b) and § 113.38.

(3) *Potency test:* Each serial and each subserial shall be tested for potency using guinea pigs as the test animal. The test shall consist of determining the 50 percent infective dose as measured by serological conversion.

(i) Groups of at least 10 guinea pigs shall be injected intraperitoneally with 1.0 ml of tenfold serial dilutions of vaccine rehydrated as recommended on the label. The range of dilutions shall be such that less than 50 percent of the guinea pigs shall convert serologically at the highest dilution and more than 50 percent shall convert at the lowest dilution.

(ii) Ten percent of the guinea pigs shall be bled before inoculation. All of the guinea pigs shall be bled 14 days post-inoculation.

(iii) All serums shall be tested for VEE antibody by the hemagglutination-inhibition test. Conversion shall be positive if the preinoculation titer is less than 1:10 (final dilution) and post-inoculation titer is 1:20 or higher.

(iv) The 50 percent guinea pig intraperitoneal infective dose (GPIID₅₀) is calculated by the method of Reed-Muench or Spearman-Kärber.

(v) To be eligible for release, each serial of vaccine shall have a GPIID₅₀ titer of sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (b) of this section to assure that when tested at any time within the expiration period, each serial shall have GPIID₅₀ titer .7 logs greater than that used in such immunogenicity test but not less than $10^{1.7}$ GPIID₅₀ per dose.

§ 113.144 Bovine Parainfluenza Vaccine.

Bovine Parainfluenza Vaccine shall be produced from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable general requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five bovine parainfluenza, susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. Also, nasal specimens shall be collected for virus isolation attempts. The calves shall be considered susceptible if:

(i) the results are negative at a 1:2 final serum dilution in a varying serum constant virus neutralization test with

less than 500 TCID₅₀ of bovine parainfluenza virus; and

(ii) shall be negative to bovine parainfluenza virus isolation attempts from the nasal specimens on the day of injection.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculation, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) The vaccinates and controls shall be examined for clinical signs of respiratory disease and the body temperature taken and recorded on each of the first 14 consecutive days post-injection. The vaccinates shall be bled on day 6±2 days post-injection.

(4) Three to four weeks post-vaccination, all calves shall be bled for serum antibodies and nasal specimens shall be collected for PL₁ virus isolation. On the same day, all vaccinates and controls shall be given acceptable challenge PL₁ virus titrating at least 10^{7.0} TCID₅₀ per ml and the animals observed for 14 days. Two ml of the challenge virus shall be instilled in each nostril or shall be inhaled as an aerosol suspension. Upon request, challenge virus and instructions shall be furnished by Veterinary Services.

(5) Each animal shall be examined for clinical signs of respiratory disease and the body temperature recorded on each of the 14 consecutive days of the post-challenge observation period. Each day for at least the first 10 days post-challenge, nasal specimens for virus isolation attempts shall be taken. All animals shall be bled on day 6±2 days post-challenge, and all animals shall be bled at least once 14 to 28 days post-challenge for serum antibody studies.

(6) Satisfactory Test Criteria:

(i) All virus isolations attempts shall be by culture and at least one subculture in PL₁ susceptible cells for a total of at least 14 days.

(ii) Two to four weeks post-vaccination, at least 19 of the 20 vaccinates shall have PL₁ neutralizing antibody titers of at least 1:4 and all five controls shall be negative at 1:2 dilution. None of the post-vaccination serums collected from the vaccinates on day 6±2 days shall reveal serum neutralization antibody titers of 1:32 or greater based upon final dilution.

(iii) Satisfactory resistance to challenge by vaccinates shall be determined by a significant difference between virus isolation rates from vaccinates and controls. The virus neutralization titers of post-challenge serums and respiratory symptoms and temperatures from all animals shall be considered in the evaluation of the test validity.

(7) Designated animal alternates for test animals showing anamnestic antibody responses (titers 1:32 or greater)

on day 6 serums may be included in the study under the following provisions:

(i) No more than five alternates shall be allowed for the vaccinates and no more than two for the controls.

(ii) Alternates shall be subject to all requirements outlined for the animals for which they are alternates.

(iii) Antibody values from alternate animals may be used only to replace values from up to and including five vaccinates which develop antibody of 1:32 or greater by day 6±2 days post-vaccination or up to and including two controls which develop antibody titers of 1:32 or greater by day 6±2 days post-challenge.

(8) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(9) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the controls shall meet the criteria prescribed in paragraph (c)(6) of this section.

(10) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested except as prescribed in paragraph (d)(1) of this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for Brucella contamination prescribed in § 113.32 shall be conducted on each batch of primary cells intended for production use.

(2) *Safety test.* The mouse safety test prescribed in § 113.33(a) and the calf safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than 10^{3.7} TCID₅₀ per dose by the method used in paragraph (c)(2) of this section.

§ 113.145 Bovine Rhinotracheitis Vaccine.

Bovine Rhinotracheitis Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five infectious bovine rhinotracheitis susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. The calves shall be considered susceptible if the results are negative at a 1:2 final serum dilution by the virus plaque reduction method.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) At least once during a period of 14 to 28 days post-vaccination, individual serum samples shall be collected for virus-neutralization tests from each of the vaccinates. The test virus shall be 100 to 500 TCID₅₀ bovine rhinotracheitis virus. Results shall be used in making a determination as prescribed in paragraph (c)(6) of this section.

(4) The vaccinates and the controls shall each be challenged with virulent infectious bovine rhinotracheitis virus and observed for 14 days. The rectal temperature of each animal shall be taken and the presence or absence of respiratory or other clinical signs of bovine rhinotracheitis noted and recorded on each of the 14 consecutive days.

(5) If at least four of the five controls do not show clinical signs of infectious bovine rhinotracheitis and a marked temperature rise to 104.5° F or higher post-challenge, the test shall be considered inconclusive and may be repeated.

(6) If less than 19 of the post-injection serum samples tested as prescribed in paragraph (c)(3) of this section show neutralization in all tubes of the 1:2 final serum dilution, or if more than one of the vaccinates show a temperature of 103.5° F or higher for 2 or more days, or if more than one of the vaccinates exhibits respiratory or other clinical signs of infectious bovine rhinotracheitis, or both, the Master Seed Virus is unsatisfactory.

(7) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(8) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls

need to be used in the retest; *Provided*, That, five of five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraphs (c) (5) and (6) of this section.

(9) An outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested except as prescribed in paragraph (c) (1) of this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for Brucella contamination prescribed in § 113.32 shall be conducted on each batch of primary cells intended for production use.

(2) *Safety test.* The mouse safety test prescribed in § 113.33(a) and the calf safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{5.7}$ TCID₅₀ per dose by the method used in paragraph (c) (2) of this section.

§ 113.146 Bovine Virus Diarrhea Vaccine.

Bovine Virus Diarrhea Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five bovine virus diarrhea susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individuals serum samples tested. The calves shall be considered susceptible to bovine virus diarrhea virus infection if the results are negative at a 1:2 final serum dilution in a varying serum-constant virus neutralization test with less than 500 TCID₅₀ of bovine virus diarrhea virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) At least once during a period 14 to 28 days post-vaccination, individual serum samples shall be collected for virus-neutralization tests from each of the vaccinates. The test virus shall be less than 500 TCID₅₀ of bovine virus diarrhea virus. The white cell count for all vaccinates and controls shall be established at least 3 days just before challenge. Results shall be used in making a determination as prescribed in paragraph (c) (5) of this section.

(4) The vaccinates and the controls shall each be challenged with virulent bovine virus diarrhea virus and observed for 14 consecutive days. The white cell count shall be determined daily on each animal from the second through the eighth day post-challenge. If leukopenia does not develop in at least four of the five controls as compared with the vaccinates, the test shall be considered inconclusive and may be repeated.

(5) If less than 19 of the post-injection serum samples, tested as prescribed in paragraph (c) (3) of this section, show neutralization in all tubes of the 1:8 dilution; or if more than one of the vaccinates exhibits respiratory or other clinical signs of bovine virus diarrhea post-challenge; or both, the Master Seed Virus is unsatisfactory.

(6) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(7) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only five vaccinates and five controls need to be used in the retest: *Provided*, That, five of five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraphs (c) (4) and (5) of this section.

(8) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) *Test requirements for release.* Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested except as prescribed in paragraph (c) (1) of this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for Brucella contamination prescribed in § 113.32 shall be conducted on each batch of primary cells intended for production use.

(2) *Safety test.* The mouse safety test prescribed in § 113.33(a) and the calf

safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{5.7}$ TCID₅₀ per dose by the method used in paragraph (c) (2) of this section.

§ 113.147 Rabies Vaccine.

Rabies Vaccine shall be prepared from virus-bearing cell cultures or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(1) The lot of Master Seed Virus shall be tested for viral agents by procedures prescribed in § 113.52 (d), (4), (5) and (6) with the modification that one ml of Master Seed Virus is substituted for the one ml aliquot of disrupted cells.

(2) Each lot of Master Seed Virus propagated in tissues or cells of avian origin shall be tested for pathogens by procedures prescribed in § 113.37.

(3) Each lot of Master Seed Virus propagated in primary cell cultures of hamster origin or brain tissues of mouse origin shall be tested for lymphocytic choriomeningitis (LCM) virus. The vaccine virus may be neutralized with specific antiserum when necessary.

(i) Each of at least 10 mice obtained from a source free of LCM shall be injected in a hind foot pad with 0.02 ml and the mice observed each day for 21 days.

(ii) If any of the mice show swelling in the injected foot pad or if more than one become systemically abnormal, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be studied in each species of carnivore or domesticated wild animal for which the vaccine is specifically recommended to attempt to determine the fate of the vaccine virus. Results shall be considered in evaluating safety of vaccine virus.

(i) Obtain at least 10 unvaccinated animals, negative at 1:2 final serum dilution, of each species in which tests will be conducted. Divide each species into two groups of five animals.

(ii) For each species of animal, inject one group of five animals intramuscularly. Infiltrate a major nerve and the surrounding tissue in each of the five animals in the other group. Use 1.0 ml of high titer virus for each method of administration.

RULES AND REGULATIONS

(iii) Observe all animals for signs of rabies until scheduled time to sacrifice. If animals show definite symptoms, sacrifice and check regional lymph nodes, brain, salivary glands, and kidney for rabies virus by injection of suckling mice (not more than 7 days of age). Tissues may be held frozen at -70°C until suckling mice are available. Inject each mouse in one litter intracerebrally with 0.02 ml of a ground tissue suspension from each organ. Observe mice each day for 21 days. If any mice die, determine if the deaths were due to rabies virus in the brain by a fluorescent antibody test.

(iv) Sacrifice animals that do not show signs of rabies according to the following schedule and check regional lymph nodes, brain, salivary glands, and kidney in suckling mice.

Route of Injection	Days after Injection	Number of animals
Intramuscularly.....	15, 20, 25, 30, 35	1 each day.
Intraneurally.....	3, 6, 9, 15, 30	1 each day.

(5) Each lot of Master Seed Virus shall be tested for safety in at least 10 unvaccinated serologically negative animals of each domestic species for which the vaccine is recommended.

(i) Each group of 10 animals shall be divided into 2 groups of 5 animals. For each species, inject one group intramuscularly with 10 doses of high titer virus.

(ii) Infiltrate a major nerve of each of the animals in the other group of 5 with 1.0 ml of the same high titer virus. For all species except canine and feline, multiple injections along the cervical spine in proximity to the nerve trunks emerging from the spinal cord may be used: *Provided*, That, at least 8 ml of virus shall be divided into four or more sites bilaterally.

(iii) Observe all animals each day for 90 days.

(iv) If any animals show clinical signs of rabies, sacrifice the animal and check appropriate brain tissue for rabies virus by the fluorescent antibody test and by mouse injection.

(v) If rabies is confirmed, the lot of Master Seed Virus is unsatisfactory.

(b) Immunogenicity determination:

(1) A geometric mean virus titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(2) The maximum dosage in a single dilution test shall be the volume of a field dose of rehydrated vaccine which, on the basis of previous titrations has been diluted to the proposed minimum acceptable virus titer throughout the dating period, then further diluted 1:2.

(3) Samples of the vaccine dilution selected for host animal immunogenicity tests shall be tested using at least 20 guinea pigs as vaccinates for each of at least four dilutions. The dilutions shall not exceed five-fold and valid results shall encompass the 50 percent endpoint.

Ten additional guinea pigs shall be used as controls.

(i) Each vaccinate shall be injected intramuscularly and observed each day with the controls for 21 days. If the vaccinates or the controls do not remain healthy during the prechallenge period, the test shall be inconclusive.

(ii) The vaccinates and at least 10 controls shall be challenged intramuscularly in a hind leg with 0.2 ml of a suitable dilution of street virus or with 0.5 ml of a suitable dilution of fixed virus. If the Master Seed Virus was injected into the hind leg, the challenge virus shall be injected into the opposite hind leg.

(iii) The post-challenge observation period shall be 14 days if fixed virus is used and shall be 21 days if street virus is used.

(iv) If at least 80 percent of the controls do not die or show paralysis attributable to rabies virus, the test is inconclusive.

(4) The immunogenicity of the lot of Master Seed Virus shall be established in all species for which the vaccine is recommended. Test animals shall be as uniform as possible and have no neutralizing antibodies to rabies as determined by serum-neutralization (SN) tests.

(i) Twenty-five to thirty animals shall be used as vaccinates. Each shall be injected intramuscularly at one site with the proposed minimum virus dose diluted 1:2.

(ii) Ten additional animals shall be held as controls.

(iii) All test animals shall be bled and SN tests conducted at 30, 60 and 90 days after injection.

(iv) Challenge all species of test animals after completion of the 90 day SN tests except as provided in subparagraphs (5) and (6) of this paragraph with a virulent rabies street virus. Injection bilaterally into the masseter muscles is the recommended route for challenge.

(v) Requirements for acceptance in challenge tests shall be death due to rabies in at least 80 percent of the controls while at least 22/25 or 26/30 vaccinates remain well for a period of 90 days.

(5) An immunogenicity test in cattle, horses, sheep, and goats may be conducted in the manner described above, except only 5 vaccinated animals selected on the basis of lowest serum titers need be challenged along with suitable controls. If at least 3 of 5 of the vaccinated animals survive challenge, those with higher serological levels which were not challenged will be considered immune for meeting the requirements of acceptance. However, all test animals with titers below 1:5 must be challenged. Virus neutralization titers of all sera shall be conducted to an endpoint.

(6) In lieu of the test set forth in subparagraph (4) of this paragraph, other test methods shall be permitted provided the test design allows no more than 5 percent probability of acceptance of a vaccine that is only 75 percent effective. Data generated by a varying dose study

in host animals will be considered, provided these data are valid for determining a PD₅₀ by probit analysis.

(7) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued.

(i) If correlation has been established between the efficacy in dogs and guinea pigs, the retest may be conducted in guinea pigs instead of dogs using the test prescribed in paragraph (b) (3) of this section.

(ii) If the retest is conducted in animals other than guinea pigs, only five vaccinates and five controls need be used and the retest may be limited to serological response of the vaccinates when compared with both the controls and the vaccinates in the original immunogenicity test.

(8) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) If more than 1 year duration of immunity is to be claimed, a duration of immunity test for the additional time shall be conducted as prescribed in paragraph (b) of this section for the 1 year test. At least 25 vaccinates shall be selected at the time the test is started for each challenge period. The test animals may be monitored serologically and the time of challenge adjusted accordingly. A duration of immunity test shall be considered satisfactory if 85 percent of the vaccinates are shown to be immune.

(d) Test requirements for release: Each serial and each subserial shall meet the general requirements prescribed in § 113.135 and special requirements in this paragraph.

(1) *Safety tests.* Final container samples of completed product from each serial or one subserial shall be tested.

(i) The test for pathogens, prescribed in § 113.37 shall be conducted on each serial or one subserial of avian origin. If necessary, neutralize the rabies virus with specific rabies antiserum.

(ii) In lieu of the safety test provided in § 113.40, a test for safety in three young seronegative animals of the most susceptible species for which the vaccine is recommended shall be conducted. Each shall be injected intramuscularly with 10 doses prepared with any practical volume of diluent. If either of the test animals shows signs of disease attributable to the vaccine during a 28 day observation period, the serial is unsatisfactory.

(2) *Virus titrations.* Final container samples of completed product shall be titrated in young adult mice or in suckling mice as prescribed in paragraph (d) (3) or (4) of this section. The following conditions shall apply in each test:

(i) Each of two vials of vaccine shall be rehydrated with a sterile diluent consisting of 2 percent normal horse serum in distilled water to which 500 units of penicillin and 1,000 mcg of streptomycin per ml has been added.

(ii) One-half dog dose from each vial shall be pooled and diluted to a volume of 10 ml. This 10 ml of diluted vaccine shall represent the 10^{-1} dilution (one dose

per 10 ml). Tenfold dilutions using the 10^{-2} dilution shall be made.

(iii) Tubes containing the desired dilutions shall be placed in an ice bath. The first dilution to be used is optional; *Provided*, That, at least 80 percent of the mice die in the lowest dilution used.

(iv) Deaths occurring during the first 4 days post-injection shall not be considered in the test; *Provided*, That, if less than 80 percent of the mice injected for any dilution survive more than 4 days, the test is inconclusive. Mice which succumb during inauguration of the test may be replaced and disregarded.

(3) Young adult mice, each weighing 14 to 16 grams, shall be used as test animals when the virus in vaccine prepared with a low egg passage strain or ERA strain of rabies virus is titrated. At least 10 mice for each dilution shall be used.

(i) At least 10 mice shall be used for each dilution. Each shall be injected intracerebrally with 0.03 ml.

(ii) The injected young adult mice shall be observed each day for 14 days except when testing vaccines made with ERA strain of rabies virus, in which case, the mice shall be observed each day for 21 days. Deaths and paralysis occurring subsequent to the fourth day post-injection shall be noted and the LD₅₀ titer calculated by the Reed and Muench Method.

(iii) Virus titer requirements for release and at expiration date shall be determined for each vaccine on the basis of data available; *Provided*, That, the lowest titer permitted at expiration date when determined by this test shall be $10^{5.0}$ LD₅₀ per 0.03 ml.

(4) Suckling mice, 6 days of age or younger, shall be used as test animals when virus in vaccine prepared with a high egg passage strain of rabies virus is titrated.

(i) Six to twelve mice shall be used for each dilution. Each shall be injected intracerebrally with 0.02 ml.

(ii) The injected suckling mice shall be observed each day for 21 days. Deaths and paralysis occurring subsequent to the fourth day post-injection shall be noted and the LD₅₀ titer calculated by the Reed and Muench Method; and

(iii) Virus titer requirements for release and at expiration date shall be determined for each vaccine on the basis of data available; *Provided*, That, the lowest titer permitted at expiration date when determined by this test shall be $10^{5.0}$ LD₅₀ per 0.02 ml.

§ 113.160 Avian Encephalomyelitis Vaccine.

Avian Encephalomyelitis Vaccine shall be prepared from virus-bearing tissues or fluids from embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37.

(c) Each lot of Master Seed Virus shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Avian encephalomyelitis susceptible chickens, all of the same age (four weeks or older) and from the same source, shall be used. Twenty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccine shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inoculate at least 10 embryos, 5 or 6 days old, in the yolk sac with 0.2 ml each. Ten similar embryos obtained from the same source shall be kept as uninoculated negative controls. Disregard all deaths during the first 48 hours post-inoculation.

(ii) Eggs for each dilution shall be kept in separate containers and allowed to hatch. Sufficient precaution shall be taken to assure that chickens from each dilution remain separated. To be a valid test, at least 80 percent of the uninoculated eggs shall hatch.

(iii) On the third day after normal hatching time, count all unhatched eggs and all dead, paralyzed and ataxic chickens as positive evidence of viral infection.

(iv) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(v) Calculate the EID₅₀ by the Spearman-Kärber or Reed-Muench method.

(3) At least 21 days post-vaccination, the vaccinates and the controls shall be challenged intracerebrally with a virulent avian encephalomyelitis virus and observed each day for 21 days.

(4) If at least 80 percent of the controls do not show signs of avian encephalomyelitis or die, the test is inconclusive and may be repeated. If at least 19 of 20, or 27 of 30, or 36 of 40 of the vaccinates in each group do not remain free from clinical signs of avian encephalomyelitis during the observation period, the Master Seed Virus is unsatisfactory.

(5) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use

of the lot previously tested is discontinued. Only one method of administration recommended on the label need be used in the retest. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (4) of this section.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.37, and in this paragraph.

(1) Potency test: Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section.

(2) To be eligible for release each serial and subserial shall have an avian encephalomyelitis virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of 0.7 logs greater than used in such immunogenicity test but not less than $10^{5.0}$ EID₅₀ per dose.

(e) Before a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.37, and in this paragraph.

(1) Virus titration. A virus titration shall be conducted on final container samples of completed product in accordance with the titration method used in paragraph (c) (2) of this section.

(i) For release, samples shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. A serial or subserial which does not contain at least $10^{5.0}$ EID₅₀ per dose of avian encephalomyelitis virus shall not be released.

(ii) When tested at any time within the expiration period, unincubated samples shall have an avian encephalomyelitis virus titer of at least $10^{5.0}$ EID₅₀ per dose.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be given as recommended on the label.

(i) At least 10 susceptible chickens properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens per each additional subserial, shall be used as vaccinates.

(ii) Ten nonvaccinated chickens, properly identified and obtained from the same source and hatch as the vaccinates, shall be kept in isolation as controls.

(iii) At least 21 days post-vaccination, the vaccinates and the controls shall be challenged intracerebrally with a virulent avian encephalomyelitis virus and observed each day for 21 days. Challenge

virus shall be provided or approved by Veterinary Services.

(iv) If less than 80 percent of the controls develop recognizable signs or lesions of avian encephalomyelitis, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of avian encephalomyelitis, the serial or subserial is unsatisfactory.

§ 113.161 Avian pox vaccine.

Fowl Pox Vaccine and Pigeon Pox Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 except paragraph (c) of this section and shall meet the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken inoculation test prescribed in § 113.36.

(c) Each lot of Master Seed Virus shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Fowl pox susceptible birds all of the same age and from the same source, shall be used as test birds. Twenty or more birds shall be used as vaccinates for each method of administration recommended on the label. Ten additional birds of the same age and from the same source as the vaccinates shall be held as unvaccinated controls.

(2) A geometric means titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinee shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each bird used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inoculate at least five embryos, 9 to 11 days old, on the chorioallantoic membrane with at least 0.2 ml each. Disregard all deaths during the first 24 hours post-inoculation. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 7 days post-inoculation.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID₅₀ by the Spearman-Kärber or Reed-Muench method.

(3) Fourteen to twenty-one days post-vaccination, all vaccinates and controls shall be challenged by the wing web method and observed each day for 10 days. If the wing web method was used for vaccination, the opposite wing shall be used for challenge. Challenge virus shall be provided or approved by Veterinary Services.

(4) If at least 90 percent of the controls do not develop fowl pox during the observation period, the test is inconclusive and may be repeated. If at least 19 of 20, or 27 of 30, or 36 of 40 of the vaccinates in each group do not remain free from clinical signs of fowl pox during the observation period, the Master Seed Virus is unsatisfactory.

(5) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only one method of administration needs to be used in the retest. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (4) of this section.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in § 113.36, in § 113.135 except paragraph (c), and in this paragraph.

(1) *Potency test.* Final container samples of completed product shall be tested for virus titer using the titration method used in paragraph (c) (2) of this section. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of 0.7 logs greater than that used in such immunogenicity test but not less than 10^{5.0} EID₅₀ per dose.

(2) *Safety test.* At least 10 fowl pox susceptible birds for each method of administration recommended on the label shall be vaccinated with vaccine from a rehydrated final container sample of completed product. Each bird shall receive one dose of vaccine and observed each day for 14 days. If any of the birds show signs of disease during the observation period for reasons attributable to the vaccine, the serial or subserial is unsatisfactory. If unfavorable reactions occur in the birds which are not attributable to the vaccine, the test is inconclusive and may be repeated.

(e) Before a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in § 113.36, in § 113.135, except paragraph (c), and in this paragraph.

(1) *Virus titration.* A virus titration shall be conducted on final container samples of completed product in ac-

cordance with the titration method used in paragraph (c) (2) of this section.

(i) For release, samples shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. A serial or subserial which does not contain at least 10^{5.0} EID₅₀ per dose of fowl pox virus shall not be released.

(ii) When tested at any time within the expiration period, unincubated samples shall have at least 10^{5.0} EID₅₀ per dose of fowl pox virus.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be administered as recommended on the label.

(i) At least 10 susceptible birds (vaccinates) properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar birds per each additional subserial, shall be vaccinated.

(ii) Ten nonvaccinated birds, properly identified and obtained from the same source and hatch as the vaccinates, shall be kept in isolation as controls.

(iii) Ten to fourteen days post-vaccination, the vaccinates and the controls shall be challenged with a fowl pox virus furnished or approved by Veterinary Services.

(iv) The challenge virus shall be administered on the comb, or in the web of the opposite wing from that used for vaccination, or on the feather follicles and the chickens observed each day for 10 days.

(v) If less than 80 percent of the controls develop recognizable signs or lesions of fowl pox, the test is inconclusive and may be repeated.

(vi) If at least 80 percent of the vaccinates do not remain free of signs or lesions of fowl pox, the serial or subserial is unsatisfactory.

§ 113.162 Bronchitis Vaccine.

Bronchitis Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37; *Provided*, That, if the test is inconclusive because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is inconclusive for the same reason, the chicken inoculation test in § 113.36 may be conducted and the virus judged accordingly.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established. Bronchitis susceptible chickens, all of the same age and from the same source, shall be used.

(1) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity tests are conducted. Each vaccinee shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in such tests. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, in the allantoic cavity with 0.1 ml each. Deaths occurring during the first 24 hours shall be disregarded, but at least four viable embryos in each dilution shall survive beyond 24 hours for a valid test. After 5 to 8 days incubation, examine the surviving embryos for evidence of infection.

(ii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iii) Calculate the EID₅₀ by the Spearman-Kärber or Reed-Muench method.

(2) Neutralization test: For each method of administration recommended on the label, twenty or more chickens shall be used as vaccinees in a neutralization test. Ten additional chickens shall be used as controls. The test shall be conducted as follows:

(i) Blood samples shall be taken from the vaccinees and the controls 21 to 28 days post-vaccination. Serums from the vaccinees shall be tested individually but serums from the controls may be tested either individually or in pools of not more than five serums. All serums shall be inactivated at 56° C for 30 minutes.

(ii) The specific serum-virus preparation and embryo injection method for the Neutralization Test described in *Methods for Examining Poultry Biologies and for Identifying and Quantifying Avian Pathogens* (NAS, 1971) shall be used. The varying virus-constant serum technique shall be used. The ID₅₀ Neutralization Index (NI) of each test serum or control serum pool shall be the reciprocal of the difference between the viral infectivity endpoint of the serum-virus mixture (serum titer) and the indicator virus titration (virus titer).

(iii) The indicator virus titration shall be done using tryptose phosphate broth as diluent. All titrations shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) To be satisfactory, the vaccine virus shall produce NI's against each type used in production as follows:

NI's of 3.0 or more for 19 of 20 or 27 of 30 or 36 of 40 vaccinee serums, provided the average NI of the control

serums or pools is less than 1.5, or

NI's 2.0 or more greater than that on control serums for at least 19 of 20 or 27 of 30 or 36 of 40 of the vaccinee serums, provided the average NI of the control serums or pools is 1.0 or less.

(3) Virus-recovery test: For each method of administration recommended on the label for each virus type used in the vaccine, twenty or more chickens shall be used as vaccinees in the virus-recovery test. Ten additional chickens shall be used as controls. The test shall be conducted as follows:

(i) Each vaccinee virus shall be tested against a challenge of homologous serotype (to the vaccine strain) and each other serotype against which protection is claimed.

(ii) Twenty-one to twenty-eight days post-vaccination, all vaccinees and controls shall be challenged by eye-drop with virulent bronchitis virus of each virus type and strain against which protection is claimed. Each challenge virus shall be approved or provided by Veterinary Services and shall titer at least 10^{4.0} EID₅₀ per ml.

(iii) Tracheal swabs shall be taken once, 5 days post-challenge, from each control and vaccinee. Each swab shall be placed in a test tube containing 3 ml of tryptose phosphate broth and antibiotics. The tube and swab shall be swirled thoroughly and if they are to be stored, be immediately frozen and be stored at below -40° C pending egg evaluation. For each chicken swab, at least five chicken embryos 9 to 11 days old shall be inoculated in the allantoic cavity with 0.2 ml each of broth from each tube.

(iv) All embryos surviving the third day post-inoculation shall be used in the evaluation: *Provided*, That, if each swab is not represented by at least four embryos, the test is invalid and the results inconclusive. A tracheal swab shall be positive for virus recovery when any of the embryos in a valid test show typical infectious bronchitis virus lesions, such as but not limited to, stunting, curling, kidney urates, clubbed down, or death during the 4 to 7 day post-inoculation period. If less than 20 percent of the embryos which survive the third day post-inoculation die during the 4-7 day post-inoculation period and show no gross lesions typical of infectious bronchitis, they may be disregarded.

(v) If less than 90 percent of the controls are positive for virus recovery, the test is inconclusive and may be repeated.

(vi) If less than 90 percent of the vaccinees are negative for virus recovery, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only one method of administration recommended on the label need be used in the retest. The vaccinees and the controls shall meet the criteria prescribed in paragraphs (c) (2) and (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the requirements prescribed in § 113.135 and in this paragraph.

(1) *Test for pathogens.* Final container samples of completed product shall be tested for pathogens by the test prescribed in § 113.37. If the vaccine is found to be unsatisfactory because of a virus override the test may be repeated using a higher titered antiserum and if the repeat test is also unsatisfactory for the same reason, the test prescribed in § 113.36 may be conducted and the vaccine judged accordingly.

(2) *Safety test.* Final container samples of completed product shall be tested to determine safety for use in bronchitis susceptible young chickens.

(i) Twenty-five susceptible chickens, 5 days of age or younger, properly identified and obtained from the same source and hatch, shall be vaccinated by the eye-drop method with the equivalent of 10 doses of vaccine and observed each day for 21 days post-vaccination. Severe respiratory signs or death shall be counted as failures. Two-stage sequential testing may be conducted if the first test (which then becomes stage one) has three failures.

(ii) The results shall be evaluated according to the following table:

Cumulative totals			
Stage	Number of chickens	Failures for satisfactory serials	Failures for unsatisfactory serials
1-----	25	2	4
2-----	50	5	6

If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated or, in lieu thereof, the serial declared unsatisfactory.

(3) *Virus titrations.* Using the procedure prescribed in paragraph (c) (1) of this section virus titrations shall be conducted.

(i) The Newcastle disease virus fraction of combined Newcastle-Bronchitis Vaccines shall be neutralized prior to titration of the bronchitis virus fraction. Equal parts of heat-inactivated Newcastle disease antiserum shall be mixed with each appropriate serial ten-fold dilution of the vaccine. After inactivation, embryos shall be injected with 0.2 ml each and results calculated as a 0.1 ml dose to allow for serum dilution of the vaccine. The allantoic fluids, tested as prescribed in § 113.34 shall not show hemagglutinating activity in the lowest dilution used in the titration.

(ii) Each bronchitis virus type shall be harvested separately and a sample of bulk harvested material shall be collected prior to mixing with the other virus type(s). Each sample shall contain not less than the minimum virus titer stated in the filed Outline of Production.

(iii) Final container samples of completed product of each serial and sub-

serial shall be tested. A satisfactory serial or subserial shall contain at least $10^{2.5}$ EID₅₀ per dose of bronchitis virus throughout the expiration period.

§ 113.163 Fowl Laryngotracheitis Vaccine.

Fowl Laryngotracheitis Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for extraneous pathogens by the chicken embryo inoculation test prescribed in § 113.37: *Provided*, That, if the test of the virus is inconclusive because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is inconclusive for the same reason, the chicken inoculation test prescribed in § 113.36 may be conducted and the virus judged accordingly. Each lot shall also be tested for safety as follows:

(1) Each of at least ten 3 to 4 week old susceptible chickens obtained from the same source and hatch as those used in the immunogenicity test prescribed in paragraph (c) of this section shall be injected intratracheally with 0.2 ml of the virus as used in the vaccine and the chickens observed each day for 14 days.

(2) If more than 20 percent of the chickens die during the observation period, the virus is unsatisfactory.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Fowl laryngotracheitis susceptible chickens all of the same age and from the same source shall be used. Twenty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinee shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used for vaccine of chicken embryo origin and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, on the chorioallantoic membrane with 0.2 ml each. Disregard all deaths during the

first 24 hours post-injection. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 8 days post-injection.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID₅₀ by the Spearman-Kärber or Reed-Muench method.

(3) Tissue culture origin vaccine may be titrated by a tissue culture method approved by Veterinary Services and written into the filed Outline of Productions.

(4) Ten to fourteen days post-vaccination, all vaccinates and controls shall be challenged intratracheally or in the orbital sinus with infectious fowl laryngotracheitis virus and observed each day for 10 days. Challenge virus shall be provided or approved by Veterinary Services.

(5) If at least 80 percent of the controls do not die or show clinical signs of fowl laryngotracheitis during the observation period, the test is inconclusive and may be repeated. If at least 19 of 20, 27 of 30, or 36 of 40 of the vaccinates in each group do not remain free of clinical signs of fowl laryngotracheitis during the observation period, the Master Seed Virus is unsatisfactory.

(6) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only one method of administration recommended on the label need be used in the retest. The vaccinates and the controls shall meet the criteria prescribed in paragraphs (c) (4) and (5) of this section.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the applicable requirements in § 113.135 and the requirements prescribed in this paragraph.

(1) Final container samples from each serial shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37: *Provided*, That, if the test of the virus is inconclusive because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is inconclusive for the same reason, the chicken inoculation test prescribed in § 113.36 may be conducted and the vaccine judged accordingly.

(2) *Virus titration.* A virus titration shall be conducted on final container samples of completed product in accordance with the titration methods used in paragraphs (c) (2) or (3) of this section.

(3) Each serial and subserial shall have a fowl laryngotracheitis virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this sec-

tion to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer 0.7 logs greater than the titer of the vaccine used in the immunogenicity test but not less than $10^{2.5}$ EID₅₀ per dose.

(e) Until a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the applicable requirements prescribed in § 113.135, in paragraph (d) (1) of this section, and the requirements in this paragraph before release for sale.

(1) *Virus titration.* A virus titration shall be conducted on final container samples of completed product in accordance with the titration methods used in paragraphs (c) (2) or (3) of this section.

(i) For release, samples shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. A serial or subserial of chicken embryo origin which does not contain at least $10^{2.5}$ EID₅₀ per dose of fowl laryngotracheitis virus shall not be released. Tissue culture origin vaccine shall contain $10^{2.0}$ EID₅₀ or $10^{2.5}$ TCID₅₀ per dose.

(ii) When tested at any time within the expiration period, unincubated samples of chicken embryo origin vaccine shall have a fowl laryngotracheitis virus titer of at least $10^{2.5}$ EID₅₀ per dose. Tissue culture origin vaccine shall contain $10^{2.0}$ EID₅₀ or $10^{2.5}$ TCID₅₀ per dose.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be used as recommended on the label.

(i) At least 10 susceptible chickens (vaccinates) properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens for each additional subserial, shall be vaccinated.

(ii) Ten nonvaccinated chickens (controls) properly identified and obtained from the same source and hatch, shall be kept in isolation.

(iii) Ten to fourteen days post-vaccination, the vaccinates and the controls shall be challenged intratracheally with a fowl laryngotracheitis virus provided or approved by Veterinary Services and observed each day for 10 days.

(iv) If less than 80 percent of the controls die or develop recognizable signs of fowl laryngotracheitis, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of fowl laryngotracheitis, the serial or subserial is unsatisfactory.

(3) *Safety test.* Final container samples of completed product from each serial or one subserial of modified live virus vaccine shall be tested for safety in ten or more susceptible chickens obtained from the same source and hatch as those used in the immunogenicity test prescribed in paragraph (e) (2) of this section. Each shall be injected intratracheally with 0.2 ml of the vaccine prepared for use as recommended on the label and observed each day for 14 days. If more than 20 percent of the chickens die during the observation period, the serial or subserial is unsatisfactory.

§ 113.164 Newcastle Disease Vaccine.

Newcastle Disease Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135, except § 113.34, and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37: *Provided*, That, if the test of the virus is inconclusive because of a virus override, the test may be repeated using a higher titered antiserum and if the repeat test is inconclusive for the same reasons, the chicken inoculation test prescribed in § 113.36 may be conducted and the virus judged accordingly.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Newcastle Disease susceptible chickens, all of the same age and from the same source, shall be used. Twenty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinee shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, in the allantoic cavity with at least 0.1 ml each. Disregard all deaths during the first 24 hours post-injection. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 7 days post-injection.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID₅₀ by the Spearman-Kärber or Reed-Muench method.

(3) Twenty to twenty-eight days post-vaccination, all vaccinates and controls shall be challenged intratracheally with at least 10^{4.0} EID₅₀ of virus per chicken

and observed each day for 14 days. Challenge virus shall be provided or approved by Veterinary Services.

(4) If at least 90 percent of the controls do not develop clinical signs of Newcastle disease during the observation period, the test is inconclusive and may be repeated. If at least 19 of 20, or 27 of 30, or 36 of 40 of the vaccinates in each group do not remain free from clinical signs of Newcastle disease during the observation period, the Master Seed Virus is unsatisfactory.

(5) The Master Seed Virus shall be retested for immunogenicity in 3 years and each 5 years thereafter unless use of the lot previously tested is discontinued. Only one method of administration recommended on the label need be used in the retest. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (4) of this section.

(6) A strain identity test acceptable to Veterinary Services shall be conducted.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the applicable requirements in § 113.135, except § 113.34, and the requirements prescribed in this paragraph.

(1) Final container samples from each serial shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37: *Provided*, That, if the test of the virus is inconclusive because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is inconclusive for the same reason, the chicken inoculation test prescribed in § 113.36 may be conducted and the vaccine judged accordingly.

(2) *Virus titration.* A virus titration shall be conducted on final container samples of completed product in accordance with the titration method used in paragraph (c) (2) of this section.

(3) Each serial and subserial shall have a Newcastle disease virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer 0.7 logs greater than the titer used in the immunogenicity test but not less than 10^{6.5} EID₅₀ per dose.

(e) Until a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the applicable requirements prescribed in § 113.135, except § 113.34, in paragraphs (d) (1) and (2) of this section and the requirements prescribed in this paragraph.

(1) A serial or subserial which does not contain at least 10^{6.5} EID₅₀ per dose of Newcastle disease virus through the expiration date is unsatisfactory.

(2) An immunogenicity test shall be conducted on final container samples of

completed product. The vaccine shall be used as recommended on the label.

(i) At least 10 susceptible chickens (vaccinates) properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens per each additional subserial, shall be vaccinated.

(ii) At least ten nonvaccinated chickens (controls), properly identified and obtained from the same source and hatch as the vaccinates, shall be kept in isolation.

(iii) Twenty to twenty-eight days post-vaccination, the vaccinates and the controls shall be challenged intratracheally with at least 10^{4.0} EID₅₀ Newcastle disease virus provided or approved by Veterinary Services. The chickens shall be observed each day for 14 days.

(iv) If less than 80 percent of the controls die or develop recognizable signs of Newcastle disease, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of Newcastle disease, the serial or subserial is unsatisfactory.

(3) Safety test: Final container samples of completed product from each serial or one subserial shall be tested to determine whether the vaccine is safe for use in susceptible young chickens.

(i) Twenty-five susceptible chickens, 5 days of age or younger, properly identified and obtained from the same source and hatch, shall be vaccinated by the eye drop method with the equivalent of 10 doses of vaccine and the chickens observed each day for 21 days post-vaccination. Severe respiratory signs or death shall be counted as failures. Two-stage sequential testing may be conducted if the first test (which then becomes stage one) has 3 failures.

(ii) The results shall be evaluated according to the following table:

Cumulative totals			
Stage	Number of chickens	Failures for satisfactory serials	Failures for unsatisfactory serials
1.....	25	2 or less.....	4 or more.
2.....	50	5 or less.....	6 or more.

(iii) If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and may be repeated.

(iv) For vaccines not recommended for use in chickens 10 days of age or younger, the prechallenge portion of the potency test shall be considered a safety test.

§ 113.165 Marek's Disease Vaccines.

Marek's Disease Vaccine shall be prepared from virus-bearing tissue culture cells. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in

§ 113.135, except paragraph (c), and the requirements prescribed in this section. Each lot of Master Seed Virus shall also be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37, except lesions typical of turkey herpes virus may be disregarded.

(b) *Safety test.* The Master Seed Virus shall be nonpathogenic for chickens as determined by the following procedure:

(1) Three groups of at least 50 chickens each at one day of age shall be used. These chickens shall be of the same source and hatch; be susceptible to Marek's disease; and be kept isolated in groups.

(i) *Group 1.* Each chicken shall be injected with 10 times as much viable virus as will be contained in one dose of vaccine, by the route recommended for vaccination.

(ii) *Group 2.* Each chicken shall be injected with a virulent Marek's disease herpesvirus at a dosage level that will cause gross lesions of Marek's disease in at least 60% of the chickens within 50 days.

(iii) *Group 3.* Controls.

(2) At least 40 chickens in each group shall survive for 4 days post-injection. All chickens that die shall be necropsied and examined for lesions of Marek's disease and cause of death. The test shall be judged according to the following:

(i) At 50 days of age, the remaining chickens in Group 2 shall be killed and examined for gross Marek's disease lesions. If at least 60 percent of this group do not develop Marek's disease, the test is inconclusive and may be repeated.

(ii) At 120 days of age, the remaining chickens in Groups 1 and 3 shall be weighed, killed, and necropsied. If at least 30 chickens in each of these 2 groups have not survived the 120 day period; or if any of the chickens in Groups 1 and 3 have gross lesions of Marek's disease at necropsy; or if the average body weight of the chickens in Group 1 is significantly (statistically) different from the average in Group 3 at the end of the 120 days, the lot of Master Seed Virus is unsatisfactory.

(c) [Reserved]

(d) *Test requirements for release:* Except for the virus identity tests in § 113.135(c), each serial and subserial shall meet the applicable requirements prescribed in § 113.135 and in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The chicken embryo inoculation test prescribed in § 113.37 shall be conducted except lesions typical of turkey herpes virus may be disregarded.

(2) *Safety test.* At least 25 one-day old chickens shall be injected, by the route recommended on the label for vaccination, with the equivalent of 10 chicken doses of virus (vaccine concentrated 10X). The chickens shall be observed each day for 21 days. Chickens dying during the period shall be examined, cause of death determined, and the results recorded.

(i) If at least 20 chickens do not survive the observation period, the test is inconclusive.

(ii) If lesions of any disease or cause of death are directly attributable to the vaccine, the serial is unsatisfactory.

(iii) If less than 20 chicks survive the observation period and there are no deaths or lesions attributable to the vaccine, the test may be repeated one time; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(3) *Potency test.* The samples shall be titrated in a cell culture system or by any other titration method acceptable to Veterinary Services. Vaccine samples of desiccated vaccine shall be incubated at 37° C for 3 days before preparation for use in the titration test. A satisfactory serial or subserial shall contain at least 1500 plaque forming units per dose at release and maintain at least 1000 plaque forming units through expiration.

(37 Stat. 832-733; 21 U.S.C. 151-158)

Effective dates. These amendments take effect January 27, 1975, except the Master Seed Virus requirements in §§ 113.162 and 113.165 shall take effect June 1, 1975, and the Master Seed Virus requirements in §§ 113.129, 113.147, 113.160, 113.161, 113.163, and 113.164 shall take effect January 1, 1976.

Done at Washington, D.C., this 19th day of December 1974.

J. M. HEJL,
Deputy Administrator, Veterinary Services, Animal and Plant Inspection Service.

[FR Doc. 74-30055 Filed 12-26-74; 8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—SCHOOL LUNCH PROGRAM

PART 246—SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN

Revision, Reorganization and Republication

On April 11, 1974, there was published in the *FEDERAL REGISTER* (39 FR 13166) a notice of proposed rulemaking to amend the regulations governing the operations of the Special Supplemental Food Program for Women, Infants and Children (WIC Program). The proposals were to conform existing provisions to the requirements of Pub. L. 93-150 which amended section 17 of the Child Nutrition Act of 1966 to authorize cash grants to Indian tribes, bands or groups recognized by the Department of Interior and to the Indian Health Service of the Department of Health, Education and Welfare and to extend the pilot WIC Program through fiscal year 1975. Other proposed revisions were designed to protect the individual rights of all persons participating in the WIC Program, permit the use of dried whole milk in Puerto Rico, prohibit WIC Program benefits from being considered as income or resources under other programs, standardize the application form used by local

agencies and the form for agreements between FNS and State agencies, modify the procedure for funding the grants, and add a new section on medical evaluation. Responses to the proposed rules were received from 78 individuals. The principal comments and the action taken on the proposed amendments are discussed below.

1. A number of comments proposed modifying the definition of "lactating women." The comments reflected the idea that supplemental feeding for all women for a period of 6 weeks postpartum is not a sufficient period of time for nutritionally poor women to gain a good health status. The Department gave these comments careful consideration and consulted further with professionals in the medical field. It is the considered opinion of these medical professionals that pregnant women generally return to their normal physiological state in 6 weeks after delivery. Therefore, the Department has decided in favor of retaining the "lactating women" definition as used throughout the pilot stage of the program.

2. Several comments were received opposing the definition of "local agency," because it excluded non-health community organizations, welfare agencies and private physicians from applying for participation in the WIC Program. The WIC Program is a pilot supplemental feeding program with a medical evaluation which will determine the benefits of the food intervention to WIC participants. The determination of need, the collection of standardized medical data, the maintenance of medical, financial and program records and the transmission of this information for the evaluation are best performed by a health clinic which has the required personnel, facilities and equipment. However, by a mandate from the Congress the Indian Health Service of the Department of Health, Education and Welfare provides health services to Indian, tribes, bands or groups recognized by the Department of Interior. Therefore, to fully implement Pub. L. 93-150, FNS will consider as a local agency for the WIC Program a Federally recognized Indian tribe, band or group which receives health services from the Indian Health Service.

3. A number of commentators opposed the authority given FNS to require a revision, for a stated cause and at any time, of the method or delivery system for making supplemental foods available. It is not contemplated that FNS would require arbitrary revision of any or all delivery systems, but only reasonable revision whenever FNS becomes cognizant of a problem with a delivery system and of a need for revision. FNS will allow a reasonable period of time for discussion of the problem with State or local agencies and for initiation of the revision. This action will tend to limit any misuse of program funds and will minimize the need for claiming against grantees. Therefore, no change is made in the provision which will authorize FNS to require revision of a method or delivery system for making supplemental foods available.

4. It was suggested that § 246.6(k) and § 246.7(a) (7) were contradictory in assigning responsibility for the design of a method or delivery system for making supplemental funds available. After careful review, these paragraphs were revised to differentiate between the roles that the local agency and the State agency have in designing delivery systems.

5. The comments received contained substantial support for nutrition education as an integral part of the WIC Program and the funding of such by FNS. There is no authorization for nutrition education in section 17 of the Child Nutrition Act of 1966, as amended. Therefore, the Department cannot authorize such expenditures as direct program costs.

6. It was suggested, based on State agency experience thus far in the program, that the State agency approval and recommendation of a local agency to FNS be based on an assessment of the local agency's ability to develop a projected caseload, provide required clinical evaluations and maintain adequate fiscal records. The Department believes this recommendation is proper and advantageous to State agencies considering applicant local agencies. Therefore, the regulations are amended to include such a standard for State agency action on local agency applications.

7. A few respondents opposed selection by FNS, alone, of local agencies for participation in the WIC Program. The State agencies recommend to FNS only those local agency applicants that they approve for participation in the WIC Program. Only final approval of local agencies remains with FNS.

8. Some doubt was expressed of the need to document informed consent of program participants. Early in the program, FNS consulted with the Department of Health, Education and Welfare on the need for the documentation of informed consent of persons participating in the medical evaluation of the WIC Program. When individuals consent to participate in the WIC Program detailed medical evaluation, FNS is assured that people who participate in this evaluation have been informed that they are involved in an experimental feeding program and of any attendant risks. In addition, these individuals consent to the release of otherwise confidential medical data. The liability of all participating agencies is limited, essentially, to that which they would have for other programs—negligent injury to participants.

9. Several comments were received which proposed a uniform income standard for WIC eligibility. The WIC Program was designed to be an adjunct to existing health facility services. Standards and practices used by a health facility to determine eligibility of individuals or groups of individuals for free or reduced price health services shall not be altered in such a way as to exclude potential WIC participants. USDA will continue this policy throughout the pilot stage of the WIC Program.

10. Several comments indicated that the proposed language of § 246.12(c) implied that individuals would not be eligible for supplemental foods unless there were an existing condition which could be remedied by receipt of these foods. No such implication is intended, nor should it be read into this provision. An individual may need supplemental foods for preventive reasons or to remedy an existing condition. However, each person's condition must be assessed individually and his or her needs for the supplemental foods determined by a competent professional.

11. A number of comments supported inclusion of additional items in the food package. The Department will not materially alter the food package during the pilot stage of the program. At the end of the medical evaluation period a determination will be made regarding the food package as a whole. However, the following minor modifications not included in the proposed rulemaking have been made in individual components of the food package. No notice of proposed rulemaking is being given with respect to these modifications since infants would be deprived of the cereal component of the food package until the rulemaking procedure was complete and a hiatus in supplying infant cereal could adversely affect the results of the medical evaluation.

a. USDA has reduced the required iron content in infant cereals to be used in the WIC Program from 90 milligrams to 45 milligrams per 100 grams of dry cereal and has restricted to 50 percent the quantity of milk substitutes allowable for infants over six months of age. Current Food and Drug Administration nutrition labeling regulations require that foods containing 50 percent or more of the U.S. Recommended Daily Allowance conform to regulations concerning "dietary supplements." Therefore, infant cereal manufacturers have reduced the iron content of their products to 45 milligrams per 100 grams dry products and no infant cereal is currently available which meets the requirement of 90 milligrams of iron per 100 grams of dry cereal. Since iron fortified cereal and formula are the two supplemental foods which provide iron in the diets of infants, those infants over six months of age must continue to receive iron fortified formula for at least 50 percent of the combined volume of milk and formula in order to maintain the iron content of the infant package at approximately 100 percent of the Recommended Dietary Allowance.

b. Dried whole milk was proposed as a substitute for iron fortified formula for infants after 6 months of age and as a substitute for whole fluid milk for women and children in Puerto Rico only. However, dried whole milk is now authorized for Alaska and the Virgin Islands as well as Puerto Rico to assure that program participants in these areas will receive the milk component of the food package. Other milk items are less readily available in all three areas.

12. In lieu of a standard partial medical evaluation, each State agency will be requested to submit to FNS a report summarizing the benefits and disadvantages which can be attributed to the WIC Program for all projects not participating in the detailed medical evaluation. This decision was based on the Department's consultants' opinion that any study design adopted would yield minimum definitive answers concerning the benefits to participants as a result of the WIC Program. The reasons underlying this opinion were the impossibility of providing standardized equipment, of training clinic personnel in standardized data collection procedures, and of monitoring data collection procedures at all clinic sites. Since immediate action is required, it is considered that notice and public procedure thereon are impracticable and contrary to the public interest. However, complying with the spirit of public rulemaking, interested persons may submit written comments, data, or arguments to the Hearing Clerk, Room 112A, Administrative Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before January 15, 1975. Such comments, data, or arguments received will be considered and if necessary appropriate amendments will be made to this paragraph (§ 246.15(c)). Until such time, however, § 246.15(c), as revised, shall remain in effect.

To fully effect the revisions listed above a number of conforming changes were required throughout this part. Several comments suggested changes to the regulations which are not in accordance with the provisions of section 17 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786). Since the regulations must follow the statutory requirements, these suggestions cannot be adopted.

In arriving at the revised regulations set forth below, each of the comments received was carefully and fully considered.

To the extent that the provisions of the regulations are at variance with any of the views expressed in such comments, any suggestions or proposals contained in the comments are hereby denied and any objections are overruled for the reasons previously stated.

In order to provide interested persons with useable copies of the regulations for the program, Part 246 is revised to read as follows:

Sec.	
246.1	General purpose and scope.
246.2	Definitions.
246.3	Administration.
246.4	Use of funds.
246.5	Eligibility of local agencies.
246.6	Application by local agencies.
246.7	State agency action on applications.
246.8	Selection of local agencies.
246.9	Agreements.
246.10	Payments to States.
246.11	Records and reports.
246.12	Eligibility of persons.
246.13	Supplemental foods.
246.14	Fair hearing procedure.
246.15	Medical evaluation.
246.16	Miscellaneous.

AUTHORITY: Section 10, 80 Stat. 889, as amended (42 U.S.C. 1779); sec. 9, 86 Stat. 729, as amended (42 U.S.C. 1786).

§ 246.1 General purpose and scope.

(a) This part announces the policies and prescribes regulations for a pilot Special Supplemental Food Program for Women, Infants, and Children (WIC Program) to be operated in States and areas selected by FNS. Under the WIC Program, the Department provides cash grants to the health departments or comparable agencies of States, or to Indian tribes, bands or groups recognized by the Department of the Interior or to the Indian Health Service of the Department of Health, Education and Welfare to enable State and local public or private nonprofit health agencies, or Indian tribes or the Indian Health Service, to make specified nutritionally desirable foods available to pregnant women, lactating women, infants, and children.

(b) The Department or its designee will also collect medical data and other material to evaluate the effect of food intervention upon populations which are at nutritional risk. The analysis, appraisal, and evaluation of the data and material will be performed by FNS or its designee. Further, the Department or its designee will evaluate WIC Program operations for administrative efficiency and effectiveness in accomplishing program purposes.

§ 246.2 Definitions.

For the purposes of this part and of all contracts, instructions, forms, and other documents related hereto, the term:

(a) "Adequate medical records" means those records listed under § 246.11(d).

(b) "Administrative costs" means those direct and indirect costs, except food costs and clinic evaluation costs, necessary to support WIC Program operations and authorized under an approved cost allocation plan as described in General Services Administration's Federal Management Circular (FMC) 74-4 (formerly OMB A-87).

(c) "Children" means persons at least one year of age but less than four years of age.

(d) "Clinic evaluation costs" means those costs specified in § 246.4(d) which are incurred by a local agency to provide data and other material for the medical evaluation.

(e) "Competent professionals" means physicians, nutritionists, registered nurses, dietitians, or State or local medically trained health officials, or persons designated by physicians or State or local medically trained health officials as being competent professionally to evaluate nutritional risk.

(f) "Department" means the United States Department of Agriculture.

(g) "Evaluation visit" means a visit to the local agency by WIC Program participants selected in accordance with FNS instructions during which they will be given the tests needed to obtain information required for the evaluation of the effect of food intervention.

(h) "Food costs" means the costs of supplemental foods provided, either directly or by voucher, to participants for home consumption, but such costs shall

not exceed the vendor's customary price for such food delivered to the State agency, the local agency or the participant, whichever is the first recipient.

(i) "FNS" means the Food and Nutrition Service of the Department.

(j) "FNSRO" means the appropriate Food and Nutrition Service Regional Office.

(k) "Infants" means persons under one year of age.

(l) "Lactating women" means women who are breastfeeding an infant from birth up to one year of age and also means all women for a period of six weeks postpartum.

(m) "Local agency" means a health clinic which is operated by an agency of a State; by a political subdivision of a State; or by a private nonprofit organization. It also means an Indian Health Service unit; a Federally recognized Indian tribe, band or group which operates a health clinic or which is provided health services by an Indian Health Service Unit.

(n) "Low birth weight" means a birth weight less than 2,500 grams.

(o) "Low income" means an income below the poverty level determined by the 1970 U.S. census, as revised annually for changes in the cost of living.

(p) "Nutritional risk" means one or more of the following:

(1) For pregnant or lactating women—
(i) Known inadequate nutritional patterns;

(ii) High incidence of anemia;
(iii) High rates or prematurity or miscarriage; or

(iv) Inadequate patterns of growth (underweight, obesity, or stunting).

(2) For infants and children—

(i) Deficient patterns of growth (when compared to the standards for height and weight established by H. C. Stuart and published by Waldo E. Nelson, et al., in the Textbook of Pediatrics, 9th Edition, 1969, W. B. Saunders Co., Philadelphia, Pa.);

(ii) High incidence of nutritional anemia; or

(iii) Known inadequate nutritional patterns.

(q) "Participants" means persons to whom food is made available under the WIC Program.

(r) "Pregnant women" means persons determined by competent professionals to have one or more fetuses in utero.

(s) "Project area" means a geographic subdivision within a State determined by the local agency as the area to be served by the WIC Program.

(t) "Secretary" means the Secretary of the United States Department of Agriculture or his authorized representative.

(u) "State" means any one of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam or American Samoa.

(v) "State agency" means the State health department or comparable agency of a State; or an Indian tribe, band or group recognized by the Department of the Interior; or the appropriate office of the Indian Health Service of the Department of Health, Education and Welfare.

(w) "Supplemental food" means any food authorized to be made available under the WIC Program.

(x) "WIC Program" means the Special Supplemental Food Program for Women, Infants and Children authorized by section 17 of the Child Nutrition Act of 1966, as amended.

§ 246.3 Administration.

(a) Within the Department, FNS shall act on behalf of the Department in administering the WIC Program.

(b) Within the States, the State agency shall be responsible for the operation of the WIC Program within the State. The State agency shall accept applications from local agencies which desire to participate in the WIC Program. The State agency shall be responsible for the design and operation of the system for making supplemental foods available to participants, including adequate safeguards against misuse. The State agency shall be responsible for forwarding to FNSRO those applications from local agencies which demonstrate the capability of operating under the WIC Program in accordance with this part and all instructions issued hereunder. The State agency shall monitor all program activities by local agencies and shall promptly notify FNSRO of any problems, program irregularities or illegal activity discovered. The State agency shall account to FNSRO for all funds granted under the WIC Program and shall be responsible for allocating the funds available for administrative costs between the State agency and local agencies.

§ 246.4 Use of funds.

(a) Federal funds made available to any State agency for the WIC Program for any fiscal year may be used by the State agency for administrative costs and for food costs and by local agencies for administrative costs, for food costs and for clinic evaluation costs. The use of WIC Program funds in any fiscal year shall be in accordance with budgets submitted by State and local agencies and approved by FNS.

(b) The use of WIC Program funds for administrative costs shall be subject to the following condition:

(1) The formula, if any, for allocating such funds between the State agency and local agencies shall be determined by the State agency;

(2) The amount expended for any fiscal year by the State agency and its local agencies shall not exceed ten per centum of the combined administrative and food costs incurred exclusive of clinic evaluation costs. Administrative costs in excess of those which can be paid from WIC Program funds may be funded from any source other than FNS.

(c) The use of WIC Program funds for food costs shall be subject to the following conditions:

(1) The method or delivery system for making supplemental foods available designed by the State agency (or the local agency whenever the State agency authorizes the design of such method or delivery system by the local agency) must

be approved by FNS. FNS may, for a stated cause, at any time require revision of the method or delivery system for making supplemental foods available and, after a reasonable time for the State or local agency to effect such revision, WIC Program funds shall be used in accordance with the revised method or delivery system.

(2) All of the basic supplemental foods, or the specified substitutes therefor, as indicated in § 246.13 shall be made available by each participating local agency.

(d) The use of WIC Program funds for clinic evaluation costs shall be subject to the following conditions:

(1) The expenditures shall be limited to:

(i) The appropriate portion of the wages and salaries of the competent professionals who determine the nutritional need of eligible persons for the supplemental foods and who collect data and other material requested for use by FNS or its designee in the medical evaluation;

(ii) The appropriate portion of the wages and salaries of local agency employees who prepare such data and other material for submission to FNS or its designee;

(iii) The costs of any supplies consumed by the local agency in order to provide the requested data and other material to FNS or its designee; and

(iv) The expenses of shipping or mailing such data and other material as directed by FNS or its designee.

(2) The chief medical officer of the State agency shall certify that the costs incurred by the local agency and the portion of wages and salaries allocated to clinic evaluation costs are reasonable and that these costs were necessarily incurred to provide the data and other material requested by FNS or its designee.

(e) WIC Program funds shall not be used for any purposes by or in behalf of a local agency until a WIC Program agreement has been executed between the State agency and the local agency.

(f) Upon demand by FNS, the State agency shall promptly return to FNS any unobligated WIC Program funds. A pro rata amount of funds for administrative costs shall accompany any returned funds for food costs.

§ 246.5 Eligibility of local agencies.

A local agency is eligible to apply for participation in the WIC Program if:

(a) It provides health services, free or at less than the full charge customarily made for such services, to residents of an area in which a substantial proportion of the persons have low incomes;

(b) It serves a population of women, infants or children which is at nutritional risk;

(c) Its staff includes competent professionals who interview or examine persons receiving health services;

(d) It has the personnel, expertise, facilities and equipment necessary for performing the measurements, tests and collection of data and other material specified by FNS or its designee for the WIC Program; and

(e) It maintains or is able to maintain adequate medical records.

§ 246.6 Application by local agencies.

Any eligible local agency interested in participating in the WIC Program shall file a written application with its State agency. Applications shall be made on the form prescribed by FNS and shall include the following:

(a) The name, address and telephone number of the local agency; the name of the official who shall be responsible for supervising WIC Program operations at the local level; the name and address of the organization which sponsors the local agency, if any, and the sources of funding for the local agency. A private nonprofit organization must also include a copy of the determination letter or ruling letter issued by the Internal Revenue Service granting tax-exempt status.

(b) The type and numbers of competent professionals on the staff of the local agency, by general field of specialization, who will examine or interview persons to determine eligibility for the WIC Program and will authorize supplemental foods for eligible persons.

(c) The types of health services offered by the local agency to pregnant or lactating women, infants and children; and a brief description of the financial, residential and other socio-economic criteria applied to determine the eligibility of such individuals for health care, including treatment, free or at less than the customary full charge.

(d) A description of the type of laboratory facilities available and a statement indicating whether or not blood, serum or plasma can be processed for transportation to a designee of FNS.

(e) A list specifying which of the following data are presently maintained on pregnant or lactating women, infants and children: Height; weight; head circumference (infants only); hemoglobin; hematocrit; serum or plasma concentrations of iron, albumin, vitamin A, and ascorbic acid; and percent of saturation of transferrin. Also, indicate any other laboratory tests routinely performed and any other pertinent medical data routinely recorded.

(f) The boundaries of the geographic subdivision which the local agency proposes as the project area.

(g) An estimate of the total population of the proposed project area.

(h) Data showing the percentage of the population of the proposed project area with low incomes and any other significant information on economic conditions affecting the proposed project area.

(i) Data which indicate the rate of nutritional risk within the proposed project area including information such as the incidence of nutritional anemia; the number and rate of pregnancies, especially teenage pregnancies; the incidences of prematurity and miscarriage; the percent of low birth weight infants, infant morbidity and mortality rates; and the incidence of any additional health problems known to exist among women, infants and children in the proposed project area.

(j) An estimate of the number of pregnant or lactating women, infants, or children which the local agency expects to serve monthly under the WIC Program with an indication of the racial and ethnic composition of the expected participants.

(k) A description of the method or delivery system which the local agency recommends to the State agency for making supplemental foods available to expected participants and of the operating techniques which will be followed. This description must contain sufficient detail to permit State agency approval wherever the State agency has authorized design or operation, or both, of food delivery systems by local agencies.

(l) A description of any supplemental type feeding program for the benefit of pregnant or lactating women, infants or children which is already in operation in the proposed project area or any portion thereof, including any such feeding program now being operated by the applicant. Include number of participants served by the age group or other category, costs and items of food provided, delivery system used, administrative expenditures, sources of funding for administrative, food and other program expenditures, and an explanation of the expected relationship between any such program and the WIC Program. Include a description of the method which will be used to assure that WIC Program participants will not participate in the Department's Supplemental Food Program (7 CFR § 250.14) or Pilot Food Certificate Program (7 CFR Part 265).

(m) A description of any activities which will be carried out as an adjunct of or concomitant to the WIC Program (for example, any nutrition education effort) and the sources of funding for such activities.

(n) The estimated monthly WIC Program food costs and a brief description of the estimating techniques employed to calculate this figure;

(o) The estimated WIC Program administrative costs of the local agency by general type of expenditure, a brief justification for each such budgeted expenditure and, if the total administrative costs exceed the WIC Program funds which will be made available for such costs, the sources and amounts from each source which will be used to fund such costs. Nonrecurring costs shall be noted as such and listed as annual costs. All other administrative costs shall be computed on both a monthly and an annual basis.

(p) The estimated WIC Program clinic evaluation costs by general type of expenditure and a brief justification for each budgeted expenditure. All clinic evaluation costs shall be computed on both a monthly and an annual basis.

(q) A statement that the information furnished in the application is true and accurate to the knowledge of the signer.

(r) The signature of the official in the local agency who shall be responsible for supervising local WIC Program operations.

§ 246.7 State agency action on applications.

(a) The State agency shall transmit to FNSRO each application from a local agency which the State agency approves for the WIC Program and recommends to FNS for funding. With each application, the State agency shall include a letter stating that the State agency approves and recommends the local agency for funding based on the State agency's assessment of the local agency's ability to develop a projected caseload, provide required clinical evaluations, and maintain adequate fiscal records. The State agency letter shall also indicate whether the method or delivery system for making supplemental foods available will be designed by the State agency or, if designed by the local agency, the approval of that local agency design. The State agency shall also agree to take the necessary action to assure prompt implementation of the WIC Program by the local agency if selected by FNS for funding. Immediately following notification by FNS of the local agencies selected for participation, the State agency shall submit the following information:

(1) The name and address of the State agency and the name and telephone number of the person within the State agency who shall be responsible for the WIC Program;

(2) A listing of the WIC Program operation duties to be performed by the State agency and those to be performed by the local agency;

(3) A description of the techniques which shall be used to monitor the activities of the local agency and the frequency with which they shall be employed;

(4) The estimated WIC Program administrative costs of the State agency by general type of expenditure, the estimated WIC Program food costs, if any, of the State agency and a brief justification for each of the budgeted expenditures;

(5) The method, if any, by which WIC Program funds to be used for administrative costs will be allocated between the State and local agency;

(6) If the estimated administrative costs will exceed the WIC Program funds which may be used for such purposes, the sources and amounts from each source which will be used to fund these excess administrative costs;

(7) If a State agency has not approved a locally designed method or delivery system for making supplemental foods available to participants for all selected local agencies, a detailed description of the State agency designed method or delivery system and of the operating techniques which will be followed;

(8) A description of any activities which will be carried out by the State agency as an adjunct of or concomitant to the WIC Program (for example, any nutrition education effort) and the sources of funding for such activities;

(9) Any other information which the State agency wishes to include; and

(10) The signature of the official in the State agency who shall be responsible for all WIC Program operations within the State.

(b) The State agency shall promptly notify in writing each local agency whose application is not transmitted to FNSRO of the reasons therefor and shall, in the case of a final rejection of an application, send a copy of such rejection to FNSRO.

§ 246.8 Selection of local agencies.

(a) *General.* FNS shall select local agencies for participation in the WIC Program on the basis of the information contained in each application. Local agencies shall be selected which, in the judgment of FNS, are most suited to the accomplishment of the purposes of this part. All local agencies selected shall be requested to furnish medical data and other material to enable FNS or its designee to make the evaluation referred to in § 246.15. FNS shall select local agencies for participation in the detailed medical evaluation prior to selecting the other local agencies for participation. The number of local agencies selected each fiscal year for the WIC Program shall be dependent upon the funds available to FNS.

(b) *Criteria for selection.* FNS shall select local agencies for participation in the WIC Program on the basis of the following criteria:

(1) The absence of any similar supplemental feeding program. While the absence of such a program shall be mandatory for local agencies included in the detailed medical evaluation, it shall be merely one of the factors by which all other applicants are rated;

(2) The expertise which the local agency has in conducting the necessary anthropometric measurements. In addition, local agencies shall be selected to participate in the detailed medical evaluation on the basis of their expertise in performing the required clinical tests and in processing blood, serum or plasma for shipment to FNS or its designee;

(3) The severity of nutritional risk and other health problems which affect residents of the proposed project area;

(4) The percentage of residents in the proposed project areas with low incomes and other factors which could affect the ability of such residents to secure adequate nutrition;

(5) The number of expected participants in each category of eligible persons and any demographic characteristics which could affect the WIC Program evaluation;

(6) The suitability of the proposed system for making food available to participants and the utility of that system for program evaluation purposes.

(c) *Notification.* Each State agency shall be notified in writing by FNS of the action taken on each application transmitted by that State agency. The notification shall list the amount of funds which FNS shall make available to the State agency. In addition, FNS shall publicly announce all selected local agencies and the amount of funds made available to each State agency.

§ 246.9 Agreements.

(a) Each selected State agency shall enter into a written agreement with the Department for each fiscal year before any funds authorized for the WIC Program are made available to such State agency by FNS under this part for that fiscal year. Such agreements shall cover the operation of the program during the period specified therein and may be extended at the option of the Department with the concurrence of the State agency. The agreement shall be executed by the appropriate State agency official and by the Administrator of FNSRO on behalf of the Department. The agreement shall be in the form prescribed by FNS and shall incorporate the terms and conditions set forth in this part. The agreement shall also contain any additional provisions that are required by law or may be necessary for WIC Program administration, operation or evaluation, including specific provisions on:

(1) *Nondiscrimination.* An assurance that the State agency shall comply with the requirements of the Department's regulations respecting nondiscrimination (Part 15 of this title) to the end that no person shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the WIC Program and a further assurance that no person shall be subjected to any discrimination under the WIC Program because of creed, political beliefs or sex.

(2) *Public Information.* A statement that WIC Program regulations, instructions, and other documents which do not pertain to individual participants shall be made available to the public upon request.

(3) *Program Promotion.* A guarantee of assistance to the Department in its efforts towards WIC Program promotion and nutrition education.

(b) The State agency shall enter into an agreement with each local agency in the State selected for participation in the WIC Program. The agreement shall be in writing and shall contain such terms as the State agency deems necessary to insure that:

(1) The local agency operates in conformity with the methods stated in the application and transmittal which were approved by FNS;

(2) The actions of the local agency will be in accordance with this part;

(3) Data will be collected by the local agency and made available as required this part; and

(4) The local agency will secure and document an informed consent, as set forth in § 246.11, from each participant (parent or guardian of a participating infant or child) who is included in the detailed medical evaluation component of the WIC Program.

§ 246.10 Payments to States.

FNS shall issue a Letter of Credit in favor of each State agency having an agreement with the Department under this part. The State agency shall obtain needed funds through presentation by

designated officials of a Payment Voucher on Letter of Credit in accordance with procedures prescribed by FNS and approved by the U.S. Treasury Department. Withdrawals (advances) against the Letter of Credit shall be made only in amounts necessary to meet actual current disbursement needs. The advanced funds shall be used without delay to pay currently approved costs. Advances made by the State agency to local agencies shall be made only in amounts necessary to meet actual current disbursement needs of the local agency and shall be used without delay by the local agency to pay currently approved costs.

§ 246.11 Records and reports.

(a) *General.* Each State agency and local agency selected to participate in the WIC Program shall maintain full and complete records concerning program operations. All such records shall be retained for three years following the end of the Federal fiscal year to which they pertain. However, the Department may, by written notice, require retention of any records deemed by it to be necessary for resolution of an audit or of any litigation. If the Department deems any of the program records to be of historical interest, it may require the State or local agency to forward such records to the Department whenever such agency is disposing of them. All records shall be available during normal business hours for representatives of the Department and of the General Accounting Office of the United States to inspect audit and copy, provided that medical case records of individual participants shall remain confidential.

(b) *Financial records.* Each State and local agency shall keep complete and accurate records of all amounts received and disbursed for the WIC Program. All of the cost allocation data shall also be maintained.

(c) *Food records.* Each local agency shall keep a file of the food authorizations issued each month to each participant. If a local agency actually dispenses food to participants, the agency shall keep accurate and complete records of the receipt, disposal and inventory of such foods.

(d) *Medical records.* The local agency shall record during each FNS designated evaluation visit, at a minimum, the following data: Height (first visit only for pregnant or lactating women); weight; and head circumference (infants only). Mortality and morbidity data will be recorded whenever available. If the local agency is obtaining results of hemoglobin or hematocrit tests on WIC participants, such results shall be recorded with the

WIC Program medical records. Those local agencies participating in the detailed medical evaluation of the WIC Program shall keep such additional medical records as FNS or its designee shall require.

(e) *Informed consent records.* Written documentation of the informed consent of each adult participant and of the parent or guardian of each infant or child participant included in the detailed medical evaluation component shall be obtained during the initial evaluation visit of the participant and shall not contain any waiver of the legal rights of the participants or of the parent or guardian. Each local agency shall have on file the procedure followed and any statements made to participants, or information supplied them, when their informed consent to participate in the detailed medical evaluation component of the WIC Program was sought.

(f) *Civil rights records.* The local agency shall maintain participation data that shows participation by racial and ethnic groups. The data should identify participants as White, Negro or Black, American Indian, Spanish-surnamed, Oriental and other.

(g) *Reports.* State agencies and local agencies shall submit reports regarding the use of funds received under this part, participation in the WIC Program, and data necessary to permit evaluation of administrative performance and of the effect of food intervention upon participants. Such reports shall be submitted on or before the 20th of the month following the month for which data and information are requested by FNS, in a form specified by FNS, and mailed in accordance with instructions from FNS. All civil rights reports shall be based on reviewable records, reported quarterly on or before the 15th of the month following the end of a calendar quarter or as required by FNS, and reported in the form specified by FNS.

§ 246.12 Eligibility of persons.

Pregnant or lactating women, infants and children whether they (or the parent or guardian of any infant or child) have or have not given their informed consent to participate in the detailed medical evaluation, are eligible to receive supplemental foods under the WIC Program if:

(a) They reside in an approved project area;

(b) They are certified for treatment free or at least than the full charge customarily made for such services by the participating local agency which serves the project area wherein they reside; and

(c) Their individual nutritional needs for the supplemental foods described in

§ 246.13 are determined through medical examination or interview by a competent professional on the staff of the participating local agency.

§ 246.13 Supplemental foods.

(a) The following kinds and specifications of foods shall be available under the WIC Program:

(1) For infants:

(i) Iron fortified infant formula with at least 10 milligrams of iron per liter of formula at standard dilution (which supplies 67 kilocalories per 100 milliliters, i.e., 20 kilocalories per fluid ounce).

Substitutes. Whole fluid milk fortified with 400 International Units of vitamin D per quart; or evaporated milk fortified with 400 International Units of vitamin A per reconstituted quart; or, in Puerto Rico, the Virgin Islands and Alaska only, dried whole milk fortified with 400 International Units of vitamin D per reconstituted quart, may be substituted for not more than 50 percent of the quantity of iron fortified infant formula authorized for any infant after six months of age.

(ii) Infant cereal which contains a minimum of 45 milligrams of iron per 100 grams of dry cereal.

(iii) Fruit Juice which contains at least 30 milligrams of vitamin C per 100 milliliters.

(2) For children and pregnant or lactating women:

(i) Whole fluid milk fortified with 400 International Units of vitamin C per quart; or evaporated milk fortified with 400 International Units of vitamin D per reconstituted quart; or skim or low fat milk fortified with 400 International Units of vitamin D and at least 1500 International Units of vitamin A per fluid quart or the minimum amount required by the Food and Drug Administration, whichever is greater; or nonfat dry milk fortified with 400 International Units of vitamin D and 2000 International Units of vitamin A per reconstituted quart; or, in Puerto Rico, the Virgin Islands and Alaska only, dried whole milk fortified with 400 International Units of vitamin D per reconstituted quart; or cheese (Swiss, Natural cheddar or pasteurized process American).

(ii) Cereal (hot or cold) which contains a minimum of 30 milligrams of iron per 100 grams of dry cereal.

(iii) Fruit or vegetable juice, or both, which contains a minimum of 30 milligrams of vitamin C per 100 milliliters.

(iv) Eggs.

(b) Supplemental foods shall be authorized by a competent professional in accordance with the individual needs of each eligible participant in amounts up to the following maximum quantities:

Foods	Units ¹	Maximum number of units per month	
		Infants	Children and pregnant or lactating women
Iron fortified infant formula.....	13 fl. oz. can of conc. liquid ²	31.....	31.....
Whole fluid milk.....	Fluid quart.....	(9).....	31.....
Evaporated milk.....	13 fl. oz. can.....	May be substituted for whole fluid milk at rate of the one can per quart of whole fluid milk.	
Skim or low fat milk.....	Fluid quart.....	May be substituted for whole fluid milk on a quart-for-quart basis.	
Non-fat dry milk.....	4 lb. pkg.....	One package may be substituted for each 20 quarts of whole fluid milk.	
Dry whole milk.....	1-pound can.....	In Puerto Rico, the Virgin Islands and Alaska, may be substituted for whole fluid milk at the rate of one can per three quarts of whole fluid milk.	
Cheese.....	Pound.....	May be substituted for whole fluid milk at the rate of one pound per three quarts.	
Eggs.....	Dozen.....	24 ⁴	24 ⁴
Infant cereal.....	8 oz. pkg.....	3.....	3.....
Cereals (hot or cold).....	8 oz. pkg.....	4.....	4.....
Juice, single strength ⁵	46 fl. oz. can.....	2 ³	6.....

¹ Different size units may be made available provided that the total volume or weight per month remains the same.

² Dry or ready-to-use forms may be made available in equivalent amounts.

³ May be substituted for not more than 50 percent of the quantity of formula beginning at age six months at the rate of one quart per can of concentrated formula.

⁴ An equivalent amount of dried egg mix (two pounds) may be substituted.

⁵ Frozen, concentrated fruit juices may be made available in 12 oz. cans at the same rate or in an equivalent volume in other size cans.

⁶ 15-4 oz. cans of infant juices may be substituted.

§ 246.14 Fair hearing procedure.

Each State agency participating in the WIC Program shall establish a hearing procedure under which a person or his or her parent or guardian can appeal from a decision made by the local agency respecting the eligibility of such person for supplemental foods. Such hearing procedure shall provide:

(a) A simple, publicly announced method for a person to make an oral or written request for a hearing;

(b) An opportunity for the person to be assisted or represented by an attorney or other person in presenting the appeal;

(c) An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;

(d) That the hearing shall be held with reasonable promptness and convenience to the person and that adequate notice shall be given to the person as to the time and place of the hearing;

(e) An opportunity for the person to present oral or documentary evidence and arguments supporting his or her position without undue interference;

(f) An opportunity for the person to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;

(g) That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal;

(h) That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record;

(i) That the person and any designated representative shall be notified in writing of the decision of the hearing official;

(j) That a written record shall be prepared with respect to each hearing, which shall include the decision under appeal, any documentary evidence and a summary of any oral testimony pre-

sented at the hearing, the decision of the hearing official, including the reasons therefor, and a copy of the notification to the family of the decision of the hearing official; and

(k) That such written record of each hearing shall be preserved for a period of 3 years and shall be available for examination by the person's representative at any reasonable time and place during such period.

§ 246.15 Medical evaluation.

(a) *General.* An evaluation of the effects of food intervention on the general health and development of participants shall be performed by FNS or its designee. Local agencies shall collect the data and other material necessary for this evaluation. FNS or its designee shall determine the specific anthropometric measurements and clinical tests to be performed. Those measurements and tests selected shall present minimal risk to participants and shall be accepted medical procedures. FNS or its designee shall standardize the methods used by participating local agencies in making the required measurements and tests and in collecting data and other material. All information concerning individual participants shall be released only to persons directly connected with the WIC Program. Only those participants who consent (or, in the case of infants and children, whose parents or guardians consent) shall be included in the detailed medical evaluation. Failure of a participant (or of his or her parent or guardian) to grant such consent shall not affect such person's eligibility for supplemental foods. Consent may be withdrawn at any time and such withdrawal shall not affect a participant's continuing eligibility for supplemental foods.

(b) *Detailed Medical evaluation.* Local agencies judged by FNS to serve a population representative of persons eligible for the WIC Program in the United

States and with the necessary capabilities will be selected to participate in a detailed medical evaluation of the program. These local agencies shall perform required clinical tests and process blood, serum or plasma for shipment to FNS or its designee. Blood samples of consenting infant and child participants (consent given by parent or guardian) shall be drawn by a microlancet from a finger or heel prick under sterile procedures and subjected to microanalysis for hemoglobin, hematocrit, albumin, transferrin and iron. Samples shall also be taken from consenting women participants and subjected to similar analysis. Some samples from women shall be analyzed for vitamin A content. In addition to these test results, dietary histories, anthropometric measurements and other data required by FNS shall determine the benefits of the supplemental foods on the participants. Any therapeutically significant results from tests on individual participants shall be furnished to the appropriate local agency.

(c) *Partial medical evaluation.* Each State agency will be requested to submit to FNS a report summarizing the benefits and disadvantages which can be attributed to the WIC Program for all projects not participating in the detailed medical evaluation. The States may consider for their reports not only the medical and nutritional benefits to participants, but also data concerning the impact of the WIC Program on local agencies. Evaluations of other effects of the WIC Program may be included at the discretion of the State agency. The State agency shall submit a report on the evaluation to FNS by July 31, 1975. This report shall be compiled for the period from initiation of WIC Program operations by the State agency through June 30, 1975.

§ 246.16 Miscellaneous.

(a) Any State agency or any local agency may be disqualified from future participation if it fails to comply with the provisions of this part and its agreement with the Department or the State agency. This does not preclude the possibility of other action being taken through other means available where necessary, including prosecution for fraud under applicable Federal statutes. If FNS determines that any part of the money received by a State agency, or food purchased or vouchers redeemed with WIC Program funds were, through State agency or local agency negligence or fraud, misused or otherwise diverted from the WIC Program purposes, the State agency shall, on demand by FNS, pay to FNS a sum equal to the amount of the money or the value of the food or vouchers so misused or diverted. Further, if FNS determines that any part of the money received by a State agency, or food purchased or vouchers redeemed with WIC Program funds, were lost as a result of thefts, embezzlements, or unexplained causes, the State agency shall, on demand by FNS, pay to FNS a sum equal to the amount of the money or the value of the food or vouchers so lost. The State agency shall have full oppor-

tunity to submit evidence, explanation or of noncompliance or diversion before a final determination is made in such cases.

(b) The value of benefits or assistance available under the WIC Program shall not be considered to be income or resources of participants or their families for any purpose under Federal or State laws including, but not limited to, laws relating to taxation, welfare and public assistance programs.

(c) Requests for information or assistance on the WIC Program and all applications, transmittals, agreements or other documents required by this part shall be sent to the FNSRO serving the State as listed below:

(1) Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, Virgin Islands, West Virginia: U.S. Department of Agriculture, FNS, Northeast Region, 729 Alexander Road, Princeton, New Jersey 08540.

(2) Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee: U.S. Department of Agriculture, FNS, Southeast Region, 1100 Spring Street, N.W., Atlanta, Georgia 30309.

(3) Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin: U.S. Department of Agriculture, FNS, Midwest Region, 536 South Clark Street, Chicago, Illinois 60605.

(4) Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming: U.S. Department of Agriculture, FNS, West-Central Region, 1100 Commerce Street, Room 5-D-22, Dallas, Texas 75202.

(5) Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territory, Washington: U.S. Department of Agriculture, FNS, Western Region, 550 Kearney Street, Room 400, San Francisco, California 94108.

(d) FNS shall issue instructions or procedures to implement the provisions of this part.

(e) Nothing contained in this part shall prevent a State agency from imposing additional requirements for participation in the WIC Program which are not inconsistent with the provisions of this part.

NOTE: The reporting and/or record keeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(Catalog of Federal Domestic Assistance Program No. 10.557, National Archives Reference Service)

Effective date. This part shall become effective on December 31, 1974.

Signed at Washington, D.C., on December 20, 1974.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc. 74-30190 Filed 12-26-74; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Tangerine Reg. 46, Amdt. 5]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Amendment of Size Regulation

This amendment prescribes a minimum diameter requirement of $2\frac{1}{16}$ inches (176 size) applicable to shipments of tangerines during the period December 30, 1974, through January 12, 1975, except that during any week of such period each handler may ship a quantity of tangerines not smaller than $2\frac{1}{16}$ inches in diameter (210 size) equal to 35 percent of the volume of tangerines he shipped in the most recent previous week of the current fiscal period. This requirement is designed to prevent an excessive buildup of smaller-size tangerines in fresh market outlets and maintain orderly marketing conditions.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the regulation of tangerine shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The amendment reflects the Department's appraisal of the need for regulation of tangerine shipments based on the available supply and current and prospective market conditions. The amendment is designed to provide ample supplies of tangerines of the more desirable sizes in the interest of both growers and consumers. The action is designed to prevent an excessive buildup of smaller-size tangerines and maintain orderly marketing conditions by preventing the adverse effect on the market caused by shipment of excessive quantities of smaller-size fruit when more than ample supplies of the more desirable sizes are available to serve consumers' needs. This amendment is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy

of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the production area, are presently subject to regulation by grade and size, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 17, 1974; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this amendment, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such fruit; compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. In §905.557 (Tangerine Regulation 46; 39 FR 32976, 37186, 40745, 41239, 42899) the provisions of paragraph (b) (2) are revised to read as follows:

§ 905.557 Tangerine Regulation 46.

(b) * * *

(2) Any tangerines, grown in the production area, which are of a size smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance for tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Tangerines; *Provided*, That during the period December 30, 1974, through January 12, 1975, no handler may ship tangerines, grown in the production area, which are of a size smaller than $2\frac{1}{16}$ inches in diameter except that a tolerance for tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Tangerines; *Provided further*, That during any week of said period any handler may ship a quantity of tangerines which are smaller than $2\frac{1}{16}$ inches in diameter, including the aforesaid tolerance, if (i) the number of standard packed boxes of such smaller tangerines does not exceed 35 percent of the total shipments of tangerines by such handler during the last previous week, within the current fiscal period, in which he shipped tangerines; and (ii) such smaller tangerines are of a size not smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance for tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in ac-

cordance with the provisions for the application of tolerances specified in said United States Standards for Florida Tangerines.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, December 23, 1974, to become effective December 30, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 74-30279 Filed 12-26-74; 8:45 am]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Miscellaneous Amendments

The amendment provides additional safeguards designed to prevent fruit handled under the exemption provisions of the order from entering the fresh regulated market.

On November 27, 1974, notice was published in the FEDERAL REGISTER (39 FR 41379) that the Department was considering an amendment, as hereinafter set forth, of the rules and regulations (Subpart—Rules and Regulations; 7 CFR 906.120-906.151) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This notice allowed interested persons 20 days during which they could submit written data, views, or arguments pertaining to these proposals. None were submitted.

The amendment provides additional safeguards pursuant to § 906.44 *Safeguards*, designed to prevent fruit handled under the exemption provisions specified in § 906.42 *Shipments for special purposes* from entering the fresh regulated market. The additional safeguards (1) remove fruit handled for conversion into fresh juice from exemption; (2) include fruit handled for processing under the exemption provisions; and (3) define the term "processing." A new rule and regulation, § 906.123 *Fruit for processing*, requires that (1) persons shipping fruit to points outside of the production area for processing ship such fruit only to approved processors; and (2) outlines procedures for the approval of such processors by the committee. Persons who ship fruit to such processors for processing would be required to promptly file diversion reports with the committee, and the committee could, if necessary to ensure compliance, require that the processors file disposition reports.

The amendment is necessary to prevent exempt fruit from entering the fresh regulated market. When fruit

leaves the production area, it often loses its identity and it is difficult to determine its ultimate disposition. Currently, under the rules and regulations of the order, fruit for processing into fresh juice is exempt from grade, size, container, inspection, and assessment requirements if certain reporting requirements are met. The committee reports that fruit in such shipments should no longer have an exempt status because the number of such shipments is increasing and they are difficult to monitor since most shipments are to small processors for conversion into fresh juice. It also now considers it necessary to require handlers who ship exempt fruit for processing to processors outside of the production area to file disposition reports with the committee and only ship such fruit to "approved processors." A procedure is outlined by which the committee could certify processors and place their names on a list of approved processors. The committee could require that such processors file reports relating to the fruit they receive for processing if it is determined that such reports are necessary to effectuate compliance. These provisions are designed to ensure that fruit for processing is only shipped to bona fide processors and that the fruit is actually processed.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which were submitted by the Texas Valley Citrus Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations, is in accordance with the provisions of said amended marketing agreement and order and will tend to effectuate the declared policy of the act. Such amendment is hereby approved, and said rules and regulations are amended as follows:

Paragraph (b) in § 906.120 *Fruit exempt from regulations* is revised to read as follows:

§ 906.120 Fruit exempt from regulations.

(b) *Processing.* The term "processing" as used in § 906.42(b) means the manufacture of any orange or grapefruit product which has been preserved by any recognized commercial process, including canning, freezing, dehydrating, drying, and the addition of chemical substances, or by fermentation. Fruit so processed is handled in accordance with Section 906.123 shall be exempt from the provisions of Sections 906.34 and 906.40. Fruit for conversion into juice without pasteurization or preservative treatment, as herein described, shall be deemed fresh fruit and subject to all regulations under this part.

A new § 906.123 *Fruit for processing* is established, reading as follows:

§ 906.123 Fruit for processing.

(a) No person shall be granted exemption from regulation to handle oranges and grapefruit for processing unless such fruit is shipped to an approved processor. All such shipments to an approved processor shall be reported to the committee on a form approved by it.

(b) *Approved processor.* Any person who desires to acquire, as an approved processor, fruit for processing, as set forth in § 906.120(b), shall, prior thereto, file an application with the committee on a form approved by it, which shall contain, but not be limited to, the following information:

- (1) Name and address of applicant;
- (2) Location of plant or plants where manufacturing is to take place;
- (3) Approximate quantity of fruit used each month;
- (4) A statement that the fruit obtained will be used for processing only and will not be resold or disposed of in fresh fruit channels; and

(5) Agree to submit such reports as are required by the committee. Such application shall be investigated by the committee staff. After such investigation, the staff shall report its findings to the committee at its next meeting or to its delegated subcommittee. Based upon the staff's report and other reliable information, the committee or delegated subcommittee shall approve or disapprove the application and notify the applicant accordingly. If the application is approved, the applicant's name shall be placed upon the list of approved processors.

(c) *Certificate by processors.* Upon request by the committee each approved processor shall submit to the committee on or before the 10th day of each month a report of the oranges and grapefruit used during the preceding calendar month. Each report shall contain a certificate to the United States Department of Agriculture and to the committee as to the truthfulness of the information shown therein.

(d) *Diversion report.* Each handler who ships fruit to processors for processing shall report to the committee on a form approved by it the following information:

- (1) Name and address of the processor's place of business where the fruit was shipped;
- (2) The net weight of oranges or grapefruit;
- (3) Truck license number or rail car initial and number;
- (4) Inspection certificate number; and
- (5) Such other information as the committee may require.

The handler shall prepare 4 copies of the report and sign them. The original copy shall be submitted to the committee within 7 days. One copy shall be retained by the handler. One copy shall be given to the party transporting the fruit who, upon arrival at the processor's place of business, shall turn it over to the party receiving the fruit with the understanding that the processor will record thereon the actual net weight of the fruit re-

ceived and forward such copy to the committee office. One copy shall be submitted to the processor along with the invoice.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, December 20, 1974, to become effective February 1, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-30188 Filed 12-26-74;8:45 am]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Expenses and Rate of Assessment

This document authorizes expenses of \$680,000 of the Texas Valley Citrus Committee, under Marketing Order No. 906, for the 1974-75 fiscal period and fixes a rate of assessment of \$0.045 per 7/10-bushel carton or equivalent quantity of oranges and grapefruit handled in such period to be paid to the committee by each first handler as his pro rata share of such expenses.

On September 16, 1974, notice of rule-making was published in the FEDERAL REGISTER (39 FR 33227) regarding proposed expenses and the related rate of assessment for the period August 1, 1974, through July 31, 1975, and carryover of unexpended funds, pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. This notice allowed interested persons 16 days during which they could submit written data, views, or arguments pertaining to these proposals. None were submitted. This regulatory program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Texas Valley Citrus Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that § 906.214 is added as set forth below:

§ 906.214 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Texas Valley Citrus Committee during the period August 1, 1974, through July 31, 1975, will amount to \$680,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 906.34, is fixed at \$0.045 per 7/10-bushel carton, or an equivalent quantity of oranges and grapefruit.

(c) *Reserve.* Unexpended assessment funds in excess of expenses incurred during the fiscal period ended July 31, 1974,

shall be carried over as a reserve in accordance with the applicable provisions of § 906.35.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of oranges and grapefruit are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable fruit from the beginning of such period; and (3) the current fiscal period began on August 1, 1974, and the rate of assessment herein fixed will automatically apply to all assessable oranges and grapefruit beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 20, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-30187 Filed 12-26-74;8:45 am]

[Navel Orange Regulation 332]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period Dec. 27, 1974-Jan. 2, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.632 Navel Orange Regulation 332.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Navel oranges

that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges was fairly good during the past week. Prices f.o.b. averaged \$3.71 per carton on a reported sales volume of 1,431 cartons last week, compared with an average f.o.b. price of \$3.69 per carton and sales of 1,306 cartons a week earlier. Track and rolling supplies at 507 cars were down 284 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this is based became available and the time this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 23, 1974.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period De-

ember 27, 1974, through January 2, 1975, are hereby fixed as follows:

- (i) District 1: 697,000 cartons;
- (ii) District 2: 48,915 cartons;
- (iii) District 3: 53,000 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; (7 U.S.C. 601-674))

Dated: December 24, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-30339 Filed 12-26-74; 8:45 am]

[Lemon Regulation 672]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Dec. 29, 1974-Jan. 4, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.972 Lemon Regulation 672.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons was good Monday morning but some decrease is expected during the remainder of the week be-

cause of the loss of two selling days over the Christmas holiday. Average f.o.b. price was \$4.72 per carton the week ended December 21, 1974, compared to \$4.27 per carton the previous week. Track and rolling supplies at 110 cars were down 33 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 23, 1974.

(b) Order. (1) The quantity of lemons grown in California and Arizona which may be handled during the period December 29, 1974, through January 4, 1975, is hereby fixed at 175,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; (7 U.S.C. 601-674))

Dated: December 24, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-30338 Filed 12-26-74; 8:45 am]

[Papaya Reg. 5]

PART 928—PAPAYAS GROWN IN HAWAII

Limitation of Shipments

This regulation establishes quality and size requirements for Hawaiian papayas from January 1 through December 31, 1975 at the same levels as Papaya Regulation 4 effective during 1974. It requires all Hawaiian papayas handled to grade at least Hawaii No. 1 grade. Fruit handled in interstate or export channels shall be of pyriform shape and weigh at least 10 ounces and fruit handled in intrastate channels shall weigh at least 14 ounces except such fruit grading Hawaii Fancy shall weigh at least 16 ounces.

Notice was published in the FEDERAL REGISTER issue of December 2, 1974 (39 FR 41748) that the Department was giving consideration to a proposed regulation for handling of papayas grown in Hawaii, pursuant to the applicable provisions of the marketing agreement, and Order No. 928 (7 CFR Part 928) regulating the handling of papayas grown in Hawaii. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). Interested persons were afforded opportunity to file written data, views, or arguments thereon. None were filed.

The Papaya Administrative Committee estimates that 1975 production of Hawaiian papayas will total 48.0 million pounds, 25 percent more than the estimated record large 1974 crop of 38.5 million pounds. It is anticipated fresh sales will constitute 92 percent of the crop or 44 million pounds. To reach this quantity of fresh shipments, the committee expects that in-state sales will increase nine percent to 14.2 million pounds; export sales, other than mainland, 27 percent to 3.8 million pounds; and mainland sales, 37 percent to 26.0 million pounds.

The regulation is based upon an appraisal of the prevailing supply and market situation for papayas. It is concluded that the regulation is appropriate for said supply and market conditions expected to prevail during the effective period of the regulation and, consistent with the objectives of the act, will tend to assure consumers of an adequate supply of acceptable quality papayas while maintaining grower returns at a level consistent with the public interest.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the recommendations and information submitted by the Papaya Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such papayas, as hereinafter provided, will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of

papayas will be regulated only through December 31, 1974, by current Regulation 4, and, in order to effectuate the declared policy of the act, this regulation should be effective not later than January 1, 1974, to provide continuity of regulation; (2) this regulation is the same as that which was specified in the notice (39 FR 41748), to which no exceptions were submitted; and (3) compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective date thereof.

Section 928.305 is added to read as follows:

§ 928.305 Papaya Regulation 5.

Order. (a) During the period January 1, 1975 through December 31, 1975, no handler shall ship any container of papayas:

(1) To any destination within the production area unless said papayas grade at least Hawaii No. 1 and are of the size which individually weigh not less than 14 ounces: *Provided*, That papayas handled as Hawaii Fancy grade shall be of a size which individually weigh not less than 16 ounces.

(2) To any export destination unless said papayas grade at least Hawaii No. 1: *Provided*, That such papayas shall be of pyriform shape and weigh not less than 10 ounces each.

(b) When used herein "Hawaii Fancy", "Hawaii No. 1", "Hawaii No. 2" and "pyriform shape" shall have the same meaning as set forth in the State of Hawaii Revised Regulation No. 1 Subsection 5.32—Wholesale Standards for Hawaiian Grown Papayas. All other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, December 20, 1974, to become effective January 1, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc. 74-30186 Filed 12-26-74; 8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM
SUBCHAPTER A—BOARD OF GOVERNORS OF
THE FEDERAL RESERVE

[REG. T]

PART 220—CREDIT BY BROKERS AND
DEALERS

Credit in Connection with Investment Con-
tracts; Postponement of Effective Date

1. On page 34988 of the FEDERAL REGISTER of December 21, 1973, the Board of Governors announced the addition, pursuant to the authority of section 7 of the Securities and Exchange Act of 1934 (15 U.S.C. section 78g), of a new paragraph (1) to §220.6 of Regulation T. The effective date of the amendment was origin-

ally scheduled to be June 21, 1974 but was postponed until January 2, 1975 (39 FR 20906, June 17, 1974). The reason for the postponement was an announcement by the Securities and Exchange Commission of proposed amendments to its regulations that would exempt from section 7 of Securities and Exchange Act of 1934 some of the investment contracts which would be effected by the addition of paragraph (1) to section 220.6 of Regulation T. In order to provide the Commission with additional time for review of comments received on its proposal, the Board of Governors hereby announces that the effective date of paragraph (1) of § 220.6 is postponed until March 3, 1975.

By order of the Board of Governors,
December 18, 1974.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 74-30253 Filed 12-26-74; 8:45 am]

CHAPTER V—FEDERAL HOME LOAN
BANK BOARD

Subchapter C—Federal Savings and Loan
System

[No. 74-1300]

PART 545—OPERATIONS

Travelers' Convenience Withdrawals

DECEMBER 12, 1974.

The following summary of the amendments adopted by this resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble and to specific provisions of the regulations.

I. Existing regulations: None.

II. New regulation: Permits Federal associations to offer withdrawal services to their customers traveling more than 50 miles from home through payments at FSLIC-insured disbursing institutions.

III. Reason for amendment: To enable Federal associations to offer an additional service to savings customers.

The Federal Home Loan Bank Board, by Resolution No. 74-957, dated September 19, 1974, proposed an amendment to Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545), which would add a new paragraph (e) to § 545.1 for the purpose of authorizing Federal associations to allow withdrawals from savings accounts as described below. Notice of such proposed rulemaking was published in the FEDERAL REGISTER on September 27, 1974 (39 FR 34681) with an invitation for interested persons to submit written comments by October 31, 1974. On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board considers it desirable to adopt said new paragraph (e) of § 545.1 with one change as described below.

New paragraph (e) of § 545.1 permits Federal associations to offer withdrawal services to customers who are traveling away from home. The regulation has five central features; (1) It permits Federal associations to act as the institution which offers the withdrawal service to

its customers (the offering institution). (2) It permits only institutions insured by the Federal Savings and Loan Insurance Corporation to disburse funds (the disbursing institution) to customers of Federal associations making withdrawals. (3) It limits use of these services to situations where the institution disbursing funds to Federal association customers is located more than 50 miles from the customer's home. (The proposal would have required the distance to be 100 miles.) (4) It permits Federal associations to act as disbursing institutions in similar transactions in which the offering institution is FSLIC-insured. (5) The regulation has several optional features: It permits but does not require the imposition of fees on customers, payment by Federal associations of fees to disbursing institutions (and the charging of fees by a Federal where it is the disbursing institution) and the setting of withdrawal amount limitations. The regulation requires telephone authorization by the customer and to the offering institution and immediate debiting of the customer's account thereafter. The purpose of the requirements in the immediately preceding sentence is to ensure that the transaction will be the equivalent of a withdrawal at the office of the offering institution.

The Board hereby amends said § 545.1 by adding a new paragraph (e) to read as set forth below, effective January 27, 1975.

§ 545.1 Savings accounts.

(e) *Travelers' convenience withdrawals.* A Federal association may permit an accountholder to make a withdrawal from a "regular account" (as defined in § 526.1(d) of this chapter) through a disbursing institution whose accounts are insured by the Federal Savings and Loan Insurance Corporation if the office of the disbursing institution through which the payment of such withdrawal is made is located more than 50 miles from the principal dwelling place of such accountholder. Such Federal association may authorize payment by the disbursing institution only upon receiving a specific telephonic withdrawal request (which may be oral or electronic) from such accountholder, and the amount so paid shall be immediately withdrawn from the savings account at such Federal association. A Federal association providing withdrawal services pursuant to this paragraph (e) may, but is not required to: (1) charge a fee to accountholders making such withdrawals, (2) place a limitation upon the amount of such withdrawal requests, and (3) pay a fee to the disbursing institution. A Federal association may also act as the disbursing institution in a similar withdrawal transaction from a regular account in another institution whose accounts are insured by the Federal Savings and Loan Insurance Corporation, and may collect a fee for its services.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.74-30221 Filed 12-26-74; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14226; Amdt. 39-2059]

PART 39—AIRWORTHINESS DIRECTIVES

Mitsubishi MU-2B-26 and -36 Airplanes

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive (AD) was adopted on October 21, 1974, and made effective immediately upon receipt of the airmail letter AD as to all known United States operators of Mitsubishi Heavy Industries, Ltd., MU-2B-26 and -36 airplanes because of reported failures of flap flexible shaft inner cables on similar type certificated airplanes that could render the flap system inoperative on Mitsubishi MU-2B-26 and -36 airplanes. The AD requires inspections of the flap cables before further flight, periodic inspections thereafter, and replacement of shafts as necessary.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately as to all known U.S. operators of Mitsubishi MU-2B-26 and -36 airplanes by airmail letter dated October 22, 1974. These conditions still exist and the AD is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of the Federal Aviation Regulations to make it effective as to all persons.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

MITSUBISHI HEAVY INDUSTRIES, LTD. Applies to Mitsubishi MU-2B-26 and -36 airplanes.

Compliance required as indicated, except that the airplane may be flown in accordance with § 21.197 to a base where the inspection, replacement, or modification can be accomplished.

To prevent failure of the flap flexible shaft inner cable (P/N RY25-1 or 080227-OC-97.50) and resulting jammed outboard auxiliary actuator that could render the flap system inoperative, accomplish the following:

(a) Before further flight and thereafter at intervals not to exceed 50 hours time in service since the last inspection, inspect the RH and LH flap flexible shafts (P/N RY25-1 or 080227-OC-97.50) for frictional noise by listening for intermittent squeak while operating the flaps in both directions through their full travel, in quiet surroundings.

(b) If frictional noise is heard during an inspection required by paragraph (a) of this AD, before further flight, remove the clamp at W.S. 2590, if installed, and replace the affected shaft with a serviceable shaft, P/N RY25-1 or 080227-OC-97.50, installed so as to establish that no bend radius throughout the shaft between W.S. 2370 and W.S. 2910 is less than 8.7 inches (220 millimeters).

(c) If no frictional noise is heard during an inspection required by paragraph (a) of this AD, before further flight, unless already accomplished—

- (1) Remove the clamp at W.S. 2590, if installed;
- (2) Loosen the clamp at W.S. 2910;
- (3) Flex the shaft to establish that no bend radius throughout the shaft between W.S. 2370 and W.S. 2910 is less than 8.7 inches (220 millimeters); and
- (4) Tighten the clamp at W.S. 2910.

This amendment is effective December 27, 1974 as to all persons except those persons to whom it was made effective upon receipt of the airmail letter dated October 22, 1974, that contained this amendment.

Issued in Washington, D.C., on December 17, 1974.

R. P. SKULLY,
Director,
Flight Standards Service.

[FR Doc.74-30149 Filed 12-26-74; 8:45 am]

[Docket No. 14228; Amdt. 39-2060]

PART 39—AIRWORTHINESS DIRECTIVES

Rolls Royce RB 211 Series Engines

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive (AD) was adopted on September 8, 1974, and made effective immediately upon receipt as to all known United States operators of airplanes equipped with Rolls Royce RB 211 Series Engines, because of reports of cracks developing in the intermediate compressor casing immediately forward of the high pressure one borescope port and subsequent inflight shutdowns. Subsequently, the FAA determined that clarification of the AD was required and that certain inspections must be performed. Accordingly, an AD superseding the AD adopted on September 8, 1974, was adopted on October 4, 1974, and made effective immediately upon receipt as to all known United States operators of airplanes certificated in all categories equipped with Rolls Royce RB 211 Series Engines. The AD adopted October 4, 1974, adds a requirement to perform dye penetrant inspections in the vicinity of the internal wheelcase oil scavenge boss, and states more completely the requirements contained in the AD of September 8, 1974.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately as to all known United States operators of airplanes certificated in all categories equipped with Rolls Royce RB 211 Series Engines by individual telegrams dated October 4, 1974. These conditions still exist and the AD is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

ROLLS ROYCE (1971) LIMITED. Applies to Rolls Royce RB 211 Series Engines.

Compliance required as indicated.

To prevent inflight engine shutdown that could result from cracks in the intermediate compressor casing comply with the following:

(a) For wing mounted engines within the next 50 hours time in service after the effective date of this amendment, or before the accumulation of the lesser of 400 hours time in service or 280 cycles, whichever occurs later, unless already accomplished, comply with paragraphs (b) and (c) of this AD as applicable.

(b) Inspect by borescope for cracks in the outer annulus walls of the intermediate compressor casing immediately forward of the high pressure one borescope borescope port.

NOTE. Use the high pressure one stator or rotor borescope access port or both, ensuring that the borescope enters only into the airbleed annulus.

(c) Using dye penetrant, inspect the outside of the intermediate compressor casing for axial cracks in the vicinity of the internal wheelcase oil scavenge boss and the borescope access port.

(d) If a crack is found during an inspection required by this AD that has progressed forward into the radius where the annulus wall meets the main casing wall, before further flight, except that the engine may be operated in accordance with FAR §§ 21.197 and 21.199 to a base where the replacement can be accomplished, replace the cracked casing with a serviceable casing.

(e) If a crack is found during an inspection required by this AD that has not progressed forward into the radius where the annulus wall meets the main casing wall, comply with the following as applicable:

(1) If the airplane on which the affected engine is installed has one or more other engines with cracked casings installed, before further flight, except that the engines may be operated in accordance with FAR §§ 21.197 and 21.199 to a base where replacement can be accomplished, either—

(i) Replace cracked casings so that no more than one engine with a cracked casing remains installed and inspect in accordance with paragraph (f) of this AD; or

(ii) Replace all cracked casings and inspect in accordance with paragraph (g) of this AD.

(2) If the airplane on which the engine with the cracked casing is installed is not known to have another engine with a cracked casing installed, either—

(i) Before further flight, except that the engine may be operated in accordance with FAR §§ 21.197 and 21.199 to a base where replacement can be accomplished, replace the cracked casing and inspect in accordance with paragraph (g) of this AD; or

(ii) Before further flight, inspect the other engines installed on the airplane in accordance with paragraphs (b) and (c) of this AD and comply with paragraphs (d), (e), or (f) of this AD as applicable.

(f) For all engines installed on airplanes having one engine with a cracked casing installed, repeat the inspections specified in paragraphs (b) and (c) of this AD at intervals not to exceed 100 hours time in service or 70 cycles since the last inspection, whichever occurs sooner, until the engine with the cracked casing is replaced.

(g) For wing mounted engines installed on airplanes not having an engine known to have a cracked casing installed, repeat the inspections specified in paragraphs (b) and (c) of this AD at intervals not to exceed 400 hours time in service or 280 cycles since the last inspection, whichever occurs sooner.

(h) For the purpose of this AD, the number of cycles equals the number of flights that involve an engine operating sequence con-

sisting of engine starting, takeoff, operation, landing, and engine shutdown.

(1) Report all cracks found as a result of any inspection performed in compliance with this AD within 10 days of the inspection to the Chief, Engineering and Manufacturing Division, Flight Standards Service, Attention: AFS 140, Federal Aviation Administration, 800 Independence Avenue S.W., Washington, D.C. 20591. Each report must include the part number, total time in service on the part, the number of flight cycles on the part, size and location of cracks, engine serial number, and engine position. (Reporting approved by the Bureau of the Budget under BCB 04 R0174.)

This amendment is effective December 27, 1974 as to all persons except those persons to whom it was made immediately effective by the telegram dated October 4, 1974, which contained this amendment.

Issued in Washington, D.C. on December 18, 1974.

R. P. SKULLY,
Director,
Flight Standards Service.

[FR Doc.74-30150 Filed 12-26-74; 8:45 am]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 14229; Amdt. 95-254]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current change-over points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Part 95 of the Federal Aviation Regulations is amended, effective January 30, 1975, as follows:

1. By amending Subpart C as follows:

Section 95.625 *Blue Federal airway 25* is amended to read in part:

From, to, and MEA

Glenallen, Alaska, FL/RBN; *Delta Junction, Alaska, LF/RBN; 12,000. *200—MCA Delta Junction LF/RBN, southeast-bound.

Section 95.1001 *Direct routes—U.S.* is amended by adding:

Dothan, Ala., VOR; Blakely INT, Ga.; 2,500. Blaly INT, Ga.; Flinn INT, Ga.; 2,000.

Section 95.1001 *Direct routes—U.S.* is amended to delete:

Dothan, Ala., VOR; Blakely INT, Ga.; 2,500. Blakely INT, Ga.; Flinn INT, Ga.; *2,000. *1,500—MOCA.

Section 95.1001 *Direct routes—U.S.*
Puerto Rico Routes

Route 2 is amended to read in part:

Cruzan INT, V.I.; St. Croix, V.I., VOR; 2,400.

Route 4 is amended to read in part:

Snapper INT, V.I.; St. Croix, V.I., VOR; 2,400.

Section 95.5000 *High altitude RNAV routes:*

From/to, total distance, changeover point distance from geographic location, track angle, MEA, MAA

J808R is amended to read in part:

Sardi, N.Y., W/P; 24; 077/257 to COP; 18,000; 45,000.

Patty, N.Y., W/P; 078/258 to Patty.

Patty, N.Y., W/P; 91; 078/258 to COP; 18,000; 45,000.

Marys, Mass., W/P; 080/260 to Marys.

J809R is amended to read in part:

Sardi, N.Y., W/P; 24; 077/257 to COP; 18,000; 45,000.

Patty, N.Y., W/P; 078/258 to Patty.

Patty, N.Y., W/P; 91; 078/258 to COP; 18,000; 45,000.

Marys, Mass., W/P; 080/260 to Marys.

J831R is added to read:

Patty, N.Y., W/P; 92; 087/267 to COP; 18,000; 45,000.

Nantucket, Mass., VORTAC; 088/268 to Nantucket.

Nantucket, Mass., VORTAC; 92; 18,000; 45,000.

Codds, Mass., W/P; 104/284 to Codds.

J833R is amended to read:

Bangor, Maine, VORTAC; 62; 225/045 to COP; 18,000; 45,000.

Gordi, Maine, W/P; 222/042 to Gordi.

Gordi, Maine, W/P; 150; 222/042 to COP; 18,000; 45,000.

Domie, Mass., W/P; 218/038 to Domie.

Domie, Mass., W/P; 67; 237/057 to Patty; 18,000; 45,000.

Patty, N.Y., W/P.

Patty, N.Y., W/P; 42; 258/078 to COP; 18,000; 45,000.

Sardi, N.Y., W/P; 255/075 to Sardi.

Section 95.5500 *High altitude RNAV routes:*

J944R is amended to read in part:

Morro, Calif., W/P; 97; 249/069 to COP; 18,000; 45,000.

Perch, Calif., W/P; 246/066 to Perch.

Perch, Calif., W/P; 173; 18,000; 45,000.

Ceres, Calif., W/P; 247/067 to Ceres.

J947R is amended to read in part:

San Luis Obispo, Calif., VORTAC; 130; 18,000; 45,000.

Gates, Calif., W/P; 226/046 to Gates.

J948R is amended to read in part:

Ceres, Calif., W/P; 173; 18,000; 45,000.

Perch, Calif., W/P; 067/247 to Perch.

Perch, Calif., W/P; 113; 67; Perch; 046/226 to COP; 18,000; 45,000.

Rabbi, Calif., W/P; 049/229 to Rabbi.

J963R is amended to read in part:

Gates, Calif., W/P; 130; 18,000; 45,000.

San Luis Obispo, Calif., VORTAC; 046/226 to San Luis Obispo.

J993R is amended to read in part:

Surfy, N.C., W/P; 103; 20; Surfy; 191/011 to COP; 18,000; 45,000.

Azana, S.C., W/P; 188/088 to Azana.

Azana, S.C., W/P; 119; 105; Azana; 189/009 to COP; 18,000; 45,000.

Gauge, Fla., W/P; 186/006 to Gauge.

Gauge, Fla., W/P; 26; 18,000; 45,000.

Salls, Fla., W/P; 187/007 to Salls.

J995R is amended to read in part:

Bondi, Fla., W/P; 51 042/222 to COP; 18,000; 45,000.

Halbi, Fla., W/P; 043/223 to Halbi.

Salls, Fla., W/P; 26; 20,000; 45,000.

Gauge, Fla., W/P; 007/187 to Gauge.

Gauge, Fla., W/P; 119; 15; Gauge; 006/186 to COP; 24,000; 45,000.

Azana, S.C., W/P; 009/189 to Azana.

Azana, S.C., W/P; 104; 84; Azana; 008/188 to COP; 24,000; 45,000.

Surfy, N.C., W/P; 011/191 to Surfy.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

From, to, and MEA

Chattanooga, Tenn., VOR; Summitville INT, Tenn.; 4,000.

Summitville, INT, Tenn.; Gum INT, Tenn.; 3,000.

Chattanooga, Tenn., VOR via E. alter.; Nashville, Tenn., VOR via E. alter.; 4,000.

Nashville, Tenn., VOR; *Portland INT, Tenn.; 2,500. *3,000—MRA.

Portland INT, Tenn.; Bowling Green, Ky., VOR; 2,500.

Nashville, Tenn., VOR via E. alter.; Barren INT, Ky. via E. alter.; 2,700.

Section 95.6006 *VOR Federal airway 6* is amended by adding:

Moscow INT, Iowa; Davenport, Iowa, VOR; *2,300. *2,000—MOCA.

Davenport, Iowa, VOR; Harmon INT, Ill.; *2,400. *2,100—MOCA.

Section 95.6006 *VOR Federal airway 6* is amended to delete:

Moscow INT, Iowa; Cordova, Iowa, VOR; *2,300. *2,000—MOCA.

Cordova, Iowa, VOR; Harmon INT, Ill.; *2,400. *2,100—MOCA.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Nashville, Tenn., VOR via E. alter.; Central City, Ky., VOR via E. alter.; 3,000.

Section 95.6008 *VOR Federal airway 8* is amended by adding:

Moscow INT, Iowa; Davenport, Iowa, VOR; *2,300. *2,000—MOCA.

Davenport, Iowa, VOR; Harmon INT, Ill.; *2,400. *2,100—MOCA.

Section 95.6008 *VOR Federal airway 8* is amended to delete:

Moscow INT, Iowa; Cordova, Iowa, VOR; *2,300. *2,000—MOCA.

Cordova, Iowa, VOR; Harmon INT, Ill.; *2,400. *2,100—MOCA.

Section 95.6009 *VOR Federal airway 9* is amended to read in part:

Folsom INT, La.; McComb, Miss., VOR; 2,000. McComb, Miss., VOR; *Rosemart INT, Miss.; 2,000. *4,000—MRA.

Rosemart INT, Miss.; Jackson, Miss., VOR; 2,000.

Jackson, Miss., VOR; *Berryville INT, Miss.; 2,000. *4,000—MRA.

Berryville INT, Miss.; Greenwood, Miss., VOR; 2,000.

Greenwood, Miss., VOR; Coldwater INT, Miss.; 2,000.

New Orleans, La. VOR via E. alter.; Picayune, Miss., VOR via E. alter.; 2,000.
 Picayune, Miss., VOR via E. alter.; McComb, Miss., VOR via E. alter.; 2,000.

Section 95.6009 VOR Federal airway 9 is amended to delete:

Green Bay, Wis., VOR via W. alter.; Cecil INT, Wis. via W. alter.; 2,700.
 Cecil INT, Wis. via W. alter.; Rhinelander, Wis., VOR via W. alter.; *3,600. *3,000—MOCA.
 Rhinelander, Wis., VOR via W. alter.; Houghton, Mich., VOR via W. alter.; *3,500. *3,000—MOCA.

Section 95.6011 VOR Federal airway 11 is amended to read in part:

Brookley, Ala., VOR; Greene County, Miss., VOR; 2,000.
 Mobile, Ala., VOR via W. alter.; Greene County, Miss., VOR via W. alter.; 2,000.
 Greene County, Miss., VOR; Laurel, Miss., VOR; 2,000.
 Yarbo INT, Ala. via E. alter.; Laurel, Miss., VOR via E. alter.; 2,000.

Section 95.6015 VOR Federal airway 15 is amended to read in part:

Waco, Tex., VOR; Scurry, Tex., VOR; *2,500. *1,900—MOCA.

Section 95.6016 VOR Federal airway 16 is amended to read in part:

Nashville, Tenn., VOR via S. alter.; Centertown INT, Tenn., via S. alter.; 4,000.
 Tampico INT, Tenn. via N. alter.; Yuma INT, Va., via N. alter.; 4,500.
 Sweetwater INT, Tenn., via S. alter.; Knoxville, Tenn., VOR via S. alter.; 3,000.
 Knoxville, Tenn., VOR via S. alter.; Potts INT, Tenn., via S. alter.; 5,000.
 Potts INT, Tenn., via S. alter.; *Pittman INT, Tenn., via S. alter.; 6,000. *7,000—MOCA
 Pittman INT, east-bound.
 Pittman INT, Tenn., via S. alter.; Snowbird, Tenn., VOR via S. alter.; 7,000.

Section 95.6018 VOR Federal airway 18 is amended to read in part:

Monroe, La., VOR; *Signal INT, Miss.; 2,000. *3,800—MRA.
 Signal INT, Miss.; *Black INT, Miss.; 2,000. *3,600—MRA.
 Black INT, Miss.; Jackson, Miss., VOR; 2,000.
 *Bolton INT, Miss. via S. alter.; Jackson, Miss., VOR via S. alter.; 2,000. *3,400—MRA.
 *Phoenix INT, Miss. via N. alter.; Jackson, Miss., VOR via N. alter.; 2,000. *2,800—MRA.
 Meridian, Miss., VOR; Tuscaloosa, Ala., VOR; 2,000.

Section 95.6020 VOR Federal airway 20 is amended to read in part:

Sildell INT, La.; Gulfport, Miss., VOR; 1,800.
 Gulfport, Miss., VOR; Mobile, Ala., VOR; 2,000.
 New Orleans, La., VOR via N. alter.; Picayune, Miss., VOR via N. alter.; 2,000.
 Picayune, Miss., VOR via N. alter.; Mobile, Ala., VOR via N. alter.; 2,000.
 Tuskegee, Ala., VOR; Eagle INT, Ala., *2,500. *1,900—MOCA.
 Eagle INT, Ala.; Columbus, Ga., VOR; 2,600.

Section 95.6035 VOR Federal airway 35 is amended to read in part:

*Busick INT, N.C.; Roan Mountain INT, N.C.; 9,000. *8,500—MCA Busick INT, Northbound.
 *Roan Mountain INT, N.C.; Holston Mountain, Tenn. VOR; 7,000. *8,000—MCA Roan Mountain INT, Southbound.
 Mars Hill INT, N.C. via W. alter.; Unicoi INT,

N.C. via W. alter.; 7,500.
 Unicoi INT, N.C. via W. alter.; Holston Mountain, Tenn., VOR via W. alter.; 7,000.
 Hartsfield INT, Ga., Saler INT, Ga.; 2,500. *3,000—MRA.
 Saler INT, Ga.; Albany, Ga., VOR; 2,000.
 Albany, Ga., VOR; Macon, Ga., VOR; 2,000.

Section 95.6049 VOR Federal airway 49 is amended to read in part:

Nashville, Tenn., VOR; via E. alter.; *Portland INT, Tenn. via E. alter.; 2,500. *3,000—MRA.
 Portland INT, Tenn. via E. alter.; Bowling Green, Ky., VOR via E. alter.; 2,500.

Section 95.6051 VOR Federal airway 51 is amended to read in part:

Ducktown INT, Tenn. via W. alter.; Hinch Mountain, Tenn., VOR via W. alter.; 5,000.

Section 95.6053 VOR Federal airway 53 is amended to read in part:

*Busick INT, N.C.; Roan Mountain INT, N.C.; 9,000. *8,500—MCA Busick INT, Northbound.
 *Roan Mountain INT, N.C.; Holston Mountain, Tenn., VOR; 7,000. *8,000—MCA Roan Mountain INT, Southbound.

Section 95.6054 VOR Federal airway 54 is amended to read in part:

Waco, Tex. VOR; Scurry, Tex., VOR; *2,500. *1,900—MOCA.
 Iuka INT, Miss.; Barton INT, Ala.; *2,600. *2,100—MOCA.
 Barton INT, Ala.; Muscle Shoals, Ala., VOR; 2,600.
 Huntsville, Ala., VOR; Chattanooga, Tenn., VOR; 4,000.

Section 95.6056 VOR Federal airway 56 is amended to read in part:

Jefferson INT, Ala.; Safford INT, Ala.; 2,000.
 Safford INT, Ala.; Cahaba, Ala., VOR; *2,000. *1,400—MOCA.
 Cahaba, Ala., VOR; *Benton INT, Ala.; 2,000. *2,800—MRA.
 Benton INT, Ala.; Montgomery, Ala., VOR; 2,000.
 Tuskegee, Ala., VOR; Eagle INT, Ala.; *2,500. *1,900—MOCA.
 Eagle INT, Ala.; Columbia, Ga., VOR; 2,600.

Section 95.6063 VOR Federal airway 63 is amended by adding:

Milwaukee, Wis., VOR; Eden INT, Wis.; *3,000. *2,600—MOCA.
 Eden INT, Wis.; Oshkosh, Wis., VOR; *2,600. 2,200—MOCA.
 Oshkosh, Wis., VOR; Stevens Point, Wis., VOR; *3,000. *2,500—MOCA.
 Stevens Point, Wis., VOR; Wausau, Wis., VOR; *3,500. *2,500—MOCA.
 Wausau, Wis., VOR; Rhinelander, Wis., VOR; *3,600. *3,000—MOCA.
 Rhinelander, Wis., VOR; Houghton, Mich., VOR; *3,500. *3,000—MOCA.
 Moline, Ill., VOR; Davenport, Iowa, VOR; 2,600.
 Davenport, Iowa, VOR; Thomson INT, Ill.; *2,600. *2,200—MOCA.

Section 95.6063 VOR Federal airway 63 is amended to delete:

Moline, Ill., VOR; Cordova, Iowa, VOR; 2,600.
 Cordova, Iowa, VOR; Thomson INT, Ill.; *2,600. *2,200—MOCA.

Section 95.6070 VOR Federal airway 70 is amended to read in part:

Picayune, Miss., VOR; Greene County, Miss., VOR; 2,000.

Section 95.6090 VOR Federal airway 90 is amended to read in part:

Litchfield, Mich., VOR; U.S.-Canadian Border; *3,000. *2,400—MOCA.

Section 95.6094 VOR Federal airway 94 is amended to read in part:

Lambert INT, Miss; Savage INT, Mass.; 2,000.

Section 95.6097 VOR Federal airway 97 is amended to read in part:

La Belle, Fla., VOR; St. Petersburg, Fla., VOR; 2,000.
 Murphy INT, Tenn.; Howard INT, Tenn.; 8,000.
 Howard INT, Tenn.; Tallahassee INT, Tenn.; 6,500.
 Knoxville, Tenn., VOR via E. alter.; Maynardville INT, Tenn. via E. alter.; 3,800.

Section 95.6115 VOR Federal airway 115 is amended to read in part:

Sweetwater INT, Tenn. via W. alter.; Knoxville, Tenn., VOR via W. alter.; 3,000.

Section 95.6123 VOR Federal airway 123 is amended by adding:

Mitch INT, Md.; Swan Point INT, Md.; 3,000. MAA-23,000.
 Swan Point INT, Md.; Int. 072 M rad Wash, D.C., VOR and 240 M rad Woodstown, VOR; 7,000.
 Int. 072 M rad Wash, D.C., VOR and 240 M rad Woodstown, VOR; Woodstown, N.Y., VOR; 2,000.

Section 95.6123 VOR Federal airway 123 is amended to delete:

Int. 231 M rad Baltimore, VOR and 271 M rad Kenton, VOR; Swan Point INT, Md.; 3,000.

Section 95.6129 VOR Federal airway 129 is amended by adding:

Geneseo INT, Ill.; Davenport, Iowa, VOR; 2,600.
 Davenport, Iowa, VOR; Charlotte INT, Iowa; *2,600. *2,000—MOCA.

Section 95.6129 VOR Federal airway 129 is amended to delete:

Geneseo INT, Ill.; Cordova, Iowa, VOR; 2,600.
 Cordova, Iowa, VOR; Charlotte INT, Iowa; *2,600. *2,000—MOCA.

Section 95.6140 VOR Federal airway 140 is amended to read in part:

Hartsville INT, Tenn.; Livingston, Tenn., VOR; 3,000.
 Nashville, Tenn., VOR via N. alter.; Freedom INT, Ky. via N. alter.; 2,700.
 Granville INT, Tenn. via S. alter.; Livingston, Tenn., VOR via S. alter.; 8,400.

Section 95.6159 VOR Federal airway 159 is amended to read in part:

Hartsfield INT, Ga.; *Saler INT, Ga.; 2,500. *3,000—MRA.
 Saler INT, Ga.; Albany, Ga., VOR; 2,000.
 Albany, Ga., VOR; *Shany INT, Ga.; 2,000. *2,800—MRA.
 Shany INT, Ga.; Eufaula, Ala., VOR; 2,100.

Section 95.6185 VOR Federal airway 185 is amended to read in part:

Marshall INT, N.C.; Snowbird, Tenn., VOR; *8,000. *7,700—MOCA.
 Snowbird, Tenn., VOR; *Piedmont INT, Tenn.; 7,000. *4,000—MCA Piedmont INT, southeast-bound.
 Weaverville INT, N.C. via E. alter.; *Ottway INT, Tenn. via E. alter.; 7,000. *5,500—MCA Ottway INT, southeast-bound.

Section 95.6191 VOR Federal airway 191 is amended by adding:

Oshkosh, Wis., VOR; Church INT, Wis.; *3,000. *2,100—MOCA.

Church INT, Wis.; Rhinelander, Wis., VOR; *3,600. *3,000—MOCA.

Section 95.6191 *VOR Federal airway 191* is amended to delete:

Oshkosh, Wis., VOR; Stevens Point, Wis., VOR; *3,000. *2,500—MOCA.

Stevens Point, Wis., VOR; Wausau, Wis., VOR; *3,000. *2,500—MOCA.

Wausau, Wis., VOR; Rhinelander, Wis., VOR; *3,600. *3,000—MOCA.

Oshkosh, Wis., VOR, via E. alter.; Church INT, Wis., via E. alter.; *3,000. *2,100—MOCA.

Church INT, Wis., via E. alter.; Rhinelander, Wis., VOR via E. alter.; *3,600. *3,000—MOCA.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

Clinton INT, La.; McComb, Miss., VOR; 2,000. McComb, Miss., VOR; Mize INT, Miss.; *3,000. *1,800—MOCA.

Mize INT, Miss.; *Paulding INT, Miss.; 3,000. *3,000—MRA, *3,000—MCA Paulding INT, southwest-bound.

Paulding INT, Miss.; Meridian, Miss., VOR; 2,000.

Section 95.6221 *VOR Federal airway 221* is amended to read in part:

Litchfield, Mich., VOR; Jackson, Mich., VOR; *3,000. *2,400—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

McComb, Miss., VOR; Hattiesburg, Miss., VOR; 2,000.

Hattiesburg, Miss., VOR; Monroeville, Ala., VOR; 2,000.

Section 95.6259 *VOR Federal airway 259* is amended to read in part:

Malden INT, N.C.; *Collett INT, N.C.; 5,000. *8,000—MCA Collett INT, northwest-bound. Collett INT, N.C.; *Linville INT, N.C.; 8,000.

*8,000—MCA Linville INT, southeast-bound.

Linville INT, N.C.; Holston Mountain, Tenn., VOR; 7,500.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Fontana INT, N.C.; *Kingzel INT, Tenn.; 7,000. *8,000—MCA Kinzel INT, south-bound.

Section 95.6269 *VOR Federal airway 269* is amended by adding:

*Spruce Mountain INT, Nev.; Wells, Nev., VOR; 11,000. *13,000—MCA Spruce Mountain INT, south-bound.

Section 95.6278 *VOR Federal airway 278* is amended to read in part:

Greenwood, Miss., VOR; Columbus, Miss., VOR; 2,000.

Columbus, Miss., VOR; Millport INT, Ala.; 2,000.

Section 95.6294 *VOR Federal airway 294* is amended by adding:

Big Rock INT, Iowa; Davenport, Iowa, VOR; *2,400. *2,000—MOCA.

Section 95.6294 *VOR Federal airway 294* is amended to delete:

Big Rock INT, Iowa; Cordova, Iowa, VOR; *2,400. *2,000—MOCA.

Section 95.6310 *VOR Federal airway 310* is amended to read in part:

Rose Hill INT, Va.; Holston Mountain INT, Tenn.; 6,000.

Section 95.6433 *VOR Federal airway 433* is amended by adding:

Mitch INT, Md.; Swan Point INT, Md.; 3,000. MAA—23,000.

Section 95.6433 *VOR Federal airway 433* is amended to delete:

Int. 231 M rad Baltimore VOR and 271 M rad Kenton VOR; Swan Point INT, Md.; 3,000.

Section 95.6455 *VOR Federal airway 455* is amended to read in part:

New Orleans, La., VOR; Picayune, Miss., VOR; 2,000.

Slidell INT, La., via E. alter.; Gulfport, Miss., VOR via E. alter.; 1,800.

Gulfport, Miss., VOR via E. alter.; Mouse INT, Miss., via E. alter.; 1,800.

Picayune, Miss., VOR; Hattiesburg, Miss., VOR; 2,000.

Hattiesburg, Miss., VOR; Meridian, Miss., VOR; 2,300.

Bay Springs INT, Miss., via W. alter.; *Paulding INT, Miss., via W. alter.; 3,000. *3,000—MRA, *3,000—MCA Paulding INT, southwest-bound.

Paulding INT, Miss., via W. alter.; Meridian, Miss., VOR via W. alter.; 2,000.

Section 95.6456 *VOR Federal airway 456* is amended to read in part:

*Copper INT, Alaska; Tucks INT, Alaska; **13,000. *12,000—MCA Copper INT, northeast-bound. **12,000—MOCA.

*Tucks INT, Alaska; Kenai, Alaska, VOR; 5,000. *12,000—MCA Tucks INT, southwest-bound.

Section 95.6492 *VOR Federal airway 492* is amended to read in part:

St. Petersburg, Fla., VOR; La Belle, Fla., VOR; 2,000.

Section 95.7037 *Jet route No. 37* is amended to read in part:

From, to MEA, and MAA

Gordonsville, Va., VORTAC; Kenton, Del., VORTAC; 18,000; 45,000.

Section 95.7056 *Jet route No. 56* is amended to read in part:

Mina, Nev., VORTAC; Salt Lake City, Utah, VORTAC; #33,000; 45,000. #MEA is established with a gap in navigational signal coverage.

Section 95.7080 *Jet route No. 80* is amended by adding:

Robbinsville, N.J., VORTAC; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7150 *Jet route No. 150* is amended by adding:

Robbinsville, N.J., VORTAC; Hampton, N.Y., VORTAC; 18,000; 45,000.

(Secs. 307, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510))

Issued in Washington, D.C. on December 20, 1974.

JAMES O. ROBINSON,
Acting Chief,
Aircraft Programs Division.

[FR Doc. 74-30153 Filed 12-26-74; 8:45 am]

[Docket No. 14220; Amdt. No. 948]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorpo-

rates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective February 6, 1975:

Buffalo, Wyo.—Buffalo Municipal Arpt., VOR/DME Rwy 30, Amdt. 2.
Centerville, Tenn.—Centerville Municipal Arpt., VOR Rwy 2, Amdt. 2.
Cincinnati, Ohio—Blue Ash Arpt., VOR/DME-A, Amdt. 1, cancelled.
Cincinnati, Ohio—Blue Ash Arpt., VOR Rwy. 6, Orig.
Cincinnati, Ohio—Blue Ash Arpt., VOR Rwy 24, Orig.
Eufala, Ala.—Weedon Field, VOR Rwy 18, Amdt. 3.
Fayetteville, N.C.—Fayetteville Municipal/Grannis Field, VOR Rwy 3, Amdt. 9.
Fayetteville, N.C.—Fayetteville Municipal/Grannis Field, VOR Rwy 21, Amdt. 2.
Fayetteville, N.C.—Fayetteville Municipal/Grannis Field, VOR Rwy 27, Amdt. 2.
Lawrenceville, Ga.—Gwinnett County Arpt., VOR/DME Rwy 25, Orig.
Montrose, Colo.—Montrose County Arpt., VOR-1, Rwy 12, Amdt. 4.
Montrose, Colo.—Montrose County Arpt., VOR-2, Rwy 12, Amdt. 3.

Pascagoula, Miss.—Jackson County Arpt.,
VOR Rwy 18, Amdt. 5.
Winchester, Ind.—Randolph County Arpt.,
VOR/DME-A, Orig.

*** effective January 30, 1975:

Douglas, Ga.—Douglas Municipal Arpt.,
VOR-A, Orig.

*** effective January 16, 1975:

Memphis, Tenn.—Memphis Int'l. Arpt., VOR
Rwy 35R, Orig.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., VOR Rwy 16L, Amdt. 4.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., VOR Rwy 16R, Amdt. 15.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., VORTAC Rwy 34L, Amdt. 1.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective February 6, 1975:

Fayetteville, N.C.—Fayetteville Municipal/
Grannis Field, LOC(BC) Rwy 21, Amdt. 1.
La Crosse, Wisc.—La Crosse Municipal Arpt.,
LOC(BC) Rwy 36, Amdt. 3.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective February 6, 1975:

Corinth, Miss.—Roscoe Turner Arpt., NDB
Rwy 17, Amdt. 3.
Fayetteville, N.C.—Fayetteville Municipal/
Grannis Field, NDB Rwy 3, Amdt. 8.
Jasper, Tenn.—Marion Co.—Brown Field,
NDB Rwy 3, Amdt. 1.
La Crosse, Wisc.—La Crosse Municipal Arpt.,
NDB Rwy 18, Amdt. 4.

*** effective January 16, 1975:

Memphis, Tenn.—Memphis Int'l. Arpt., NDB
Rwy 35R, Orig.
Newman, Ga.—Newman Coweta County Arpt.,
NDB Rwy 32, Orig.
Pulaski, Tenn.—Abernathy Field, NDB Rwy
15, Orig.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., NDB Rwy 34L, Orig.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective February 6, 1975:

Fayetteville, N.C.—Fayetteville Municipal/
Grannis Field, ILS Rwy 3, Amdt. 8.
La Crosse, Wisc.—La Crosse Municipal Arpt.,
ILS Rwy 18, Amdt. 3.

*** effective January 16, 1975:

Memphis, Tenn.—Memphis Int'l. Arpt., ILS
Rwy 17L, Orig.
Memphis, Tenn.—Memphis Int'l. Arpt., ILS
Rwy 35R, Orig.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., ILS Rwy 16L, Amdt. 2.
Salt Lake City, Utah—Salt Lake City Int'l.
Arpt., ILS Rwy 34L, Amdt. 32.

*** effective December 16, 1974:

Texarkana, Ark.—Texarkana Municipal Webb
Field, ILS Rwy 22, Amdt. 5.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective February 6, 1975:

Fayetteville, N.C.—Fayetteville Municipal/
Grannis Field, RADAR-1, Amdt. 1.
Renton, Wash.—Renton Municipal Arpt.,
RADAR-1, Amdt. 2.

*** effective January 16, 1975:

Memphis, Tenn.—Memphis Int'l. Arpt.,
RADAR-1, Amdt. 28.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective February 6, 1975.

Renton, Wash.—Renton Municipal Arpt.,
RNAV Rwy 33, Amdt. 2.

Correction: In Docket No. 14184, Amendment 946, to Part 97 of the Federal Aviation Regulations published in the FEDERAL REGISTER dated December 13, 1974, on page 43389, under § 97.27 effective January 23, 1975—Change effective date of Carrollton, Ga., West Georgia Regional Arpt., NDB Rwy 34, Orig., to January 16, 1975.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; 49 U.S.C. 1438, 1354, 1421, 1510, Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on December 19, 1974.

JAMES M. VINES,
Chief,

Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969 (35 FR 5610).

[FR Doc. 74-30154 Filed 12-26-74; 8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS

PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

PART 1512—REQUIREMENTS FOR BICYCLES

Bicycles and Bicycle Safety Requirements; Suspension of Effective Date

Correction

In FR Doc. 74-29113, appearing at page 43536, in the issue for Monday, December 16, 1974, in the first line of the authority citation, the portion reading "(g) (1) (A)" should read "(q) (1) (A)".

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Regulation No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950.....)

Change in Yearly Earnings Base for Granting of Quarters of Coverage—Reduced Quarters of Coverage Required for Fully Insured Status for Men

On September 27, 1974, there was published in the FEDERAL REGISTER (39 FR 34690) a Notice of Proposed Rule Making with proposed amendments to Subpart B of Regulations Number 4 (20 CFR Part 404), regarding implementation of section 104 of Public Law 92-603. The proposed amendments to the regulations relate to the granting of four quarters of coverage if the individual has creditable earnings of a specified amount in designated years. The amendments also reflect the reduced quarters of coverage required for men in order to acquire a fully insured status.

The pertinent amendment revising the maximum yearly earnings creditable and providing for a contribution and earnings base for the granting of four quarters of coverage for a year is section 203(a) (3) (A) and (B) of Public Law 92-603, enacted July 1, 1972. Prior to the enactment of Pub. L. 92-603 (October 1972), a larger number of quarters of coverage was required for a fully insured status for men than for women. Section 104 of Public Law 92-603 reduced the quarters of coverage required for men in three steps. Under this provision, men who attain age 62 in 1975 or later will require the same number of quarters of coverage as women.

Interested persons were given 30 days to submit written comments or suggestions thereon. The 30-day period has passed and no adverse comments have been received. Accordingly, the amendments are adopted without change as set forth below.

(Secs. 205, 213(a), 214(a), and 1102 of the Social Security Act, as amended, and sec. 104(j) of Pub. L. 92-603, 53 Stat. 1368, as amended, 64 Stat. 504, as amended, 505, as amended, 49 Stat. 647, as amended, 86 Stat. 1341; (42 U.S.C. 405, 413(a), 414(a), and 1302))

Effective date: These amendments shall be effective December 27, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.803, Social Security-Retirement Insurance, Program No. 13.802, Social Security-Disability Insurance; and Program No. 13.805, Social Security-Survivors Insurance)

Dated: December 13, 1974.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: December 23, 1974.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

[FR Doc. 74-30285 Filed 12-26-74; 8:45 am]

Part 404 of Title 20 of the Code of Federal Regulations is amended as follows:

1. In § 404.103, paragraph (d) is revised to read as follows:

§ 404.103 Quarters of coverage.

(d) *Quarters of coverage based on wages paid or self-employment income derived in a year.* An individual is credited with quarters of coverage based on the amount of wages paid or self-employment income derived or a combination of both, in a year, as follows:

(1) *Based on wages.* An individual is credited with a quarter of coverage for each quarter in a calendar year (subject to the limitations in § 404.104) if such quarter occurred in a calendar year:

(i) After 1974, and he has been paid wages equal to the amount of the contribution and benefit base in effect for that year;

(ii) For the year 1974, and he has been paid wages equal to \$13,200 in that year;

(iii) For the year 1973, and he has been paid wages equal to \$10,800 in that year;

(iv) For the year 1972, if he has been paid wages equal to \$9,000 in that year;

(v) After 1967 and prior to 1972, and he has been paid wages equal to \$7,800 in such year;

(vi) After 1965 and prior to 1968, and he has been paid wages equal to \$6,600 in such year;

(vii) After 1958 and prior to 1966, and he has been paid wages equal to \$4,800 in such year;

(viii) After 1954 and prior to 1959, and he has been paid wages equal to \$4,200 in such year;

(ix) After 1950 and prior to 1955, and he has been paid wages equal to \$3,600 in such year;

(x) Prior to 1951, and he has been paid wages equal to \$3,000 in such year and the conditions described in § 404.105 are met. If the conditions of § 404.105 are not met, then only those quarters in such year which occur after a quarter of coverage established in accordance with paragraph (b) (1) of this section, and prior to the quarter in which the individual becomes entitled to a primary insurance benefit, or died, are credited as quarters of coverage.

(2) *Based on self-employment income, or combination of self-employment income and wages.* In a case in which an individual has self-employment income, or a combination of self-employment income and wages, during a taxable year, he is credited with a quarter of coverage for each calendar quarter wholly or partly in such taxable year (subject to the limitations in § 404.104) if such taxable year:

(i) Ends after 1974, and the total of his self-employment income derived and wages paid, in such year equals the amount of the contribution and benefit base in effect for such year.

(ii) Ends after 1973, and prior to 1975, and the total of his self-employment income derived and wages paid, in such year equals \$13,200;

(iii) Ended after 1972, and prior to 1974, and the total of his self-employment income derived and wages paid in such year equals \$10,800;

(iv) Ended after 1971 and prior to 1973, and the total of his self-employment income derived and wages paid in such year equals \$9,000;

(v) Ended after 1967 and prior to 1972 and the total of his self-employment income derived and wages paid in such year equals \$7,800;

(vi) Ended after 1965 and prior to 1968 and the total of his self-employment income derived and wages paid, in such year equals \$6,600;

(vii) Ended after 1958 and prior to 1966 and the total of his self-employment income derived and wages paid, in such year equals \$4,800;

(viii) Ended after 1954 and prior to 1959 and the total of his self-employment income derived and wages paid, in such year equals \$4,200;

(ix) Began after 1950 and ended prior to 1955 and the total of his self-employment income derived and wages paid, in such year equals \$3,600.

2. Section 404.108 is revised to read as follows:

§ 404.108 Fully insured status; general.

(a) *Factors involved.* An individual is fully insured if he is credited with a required number of quarters of coverage. The number of quarters of coverage required is determined generally by the year the individual attains a certain age (referred to hereinafter as the determining age). The determining age is age 62 (1) for months before November 1956, the determining age for a woman was age 65; (2) for men, the determining age was (i) age 65 if attainment of age 62 was prior to 1973; (ii) age 64 if attainment of age 62 was in 1973; (iii) age 63 if attainment of age 62 was in 1974) or if death occurs before attainment of the determining age, the date of death; whether or not a period of disability has been established for the individual; and the insured status requirement in effect at the time the individual first filed application for benefits, is first eligible for benefits, or dies.

(b) *When fully insured status begins.* An individual is fully insured beginning with the first day of the calendar quarter in which he acquires the last required quarter of coverage (see §§ 404.103(f) and 404.109-404.112). Though fully insured under the statutory provisions in

effect during a particular period, an individual may not be fully insured under the statutory provision in effect for a prior period, and in such case, no benefits would be payable for such prior period though benefits may be payable currently based on the later requirements. Sections 404.109-404.113 set forth the various fully insured status requirements and their period of applicability.

3. Paragraphs (a) and (f) of § 404.109 are revised to read as follows:

§ 404.109 Fully insured status—beginning August 1961.

(a) *Quarters of coverage requirement.* An individual is fully insured after July 1961, if credited with not less than:

(1) One quarter of coverage, whenever acquired, for each calendar year elapsing after 1950, or, if later, the year in which the individual attained age 21 and:

(i) In the case of a woman, before the year in which she attains age 62, or if she is deceased and death occurred prior to attainment of age 62, before the year in which she died;

(ii) In the case of a man, before the year in which he attains age 62, if such attainment is in 1975 or later; if the attainment of age 62 is in 1974, up to the year he attains age 63; if attainment of age 62 is in 1973, up to the year of attainment of age 64; if attainment of age 62 is before 1973, up to the year of attainment of age 65; or if he is deceased, before the year in which he died if death occurred prior to such attainment; or

(2) Forty quarters of coverage; or

(3) In the case of an individual who died before 1951, six quarters of coverage (see § 404.113a(c) for an exception).

(f) *Table for determining quarters of coverage for fully insured status.* The following tables may be used to ascertain the number of quarters of coverage required for a fully insured status for benefits for months after July 1961. Instructions for use of the table are set forth in paragraph (f) (1) and (2) of this section. The numbers of quarters of coverage which appear in columns II and III (b) may be reduced by the application of the provisions of paragraph (f) (2) of this section. (See § 404.113a for circumstances under which the minimum six quarters of coverage may be reduced.)

RULES AND REGULATIONS

Column I Date of birth	Column II Number of quarters of coverage required for insured status; living wage earner, or one who dies after year attains determining age.		Column III(a) Individual born before Jan. 2, 1930 and dies before reaching determining age; Year of death	Column III(b) Number of quarters required for fully insured status	Column III(c) Individual born Jan. 2, 1930 or later, dies before reaching determining age; Age in year of death
	Men	Women			
Jan. 1, 1893 or earlier	6	6	1957	6	28
Jan. 2, 1893 to Jan. 1, 1894	7	6	1958	7	29
Jan. 2, 1894 to Jan. 1, 1895	8	6	1959	8	30
Jan. 2, 1895 to Jan. 1, 1896	9	6	1960	9	31
Jan. 2, 1896 to Jan. 1, 1897	10	7	1961	10	32
Jan. 2, 1897 to Jan. 1, 1898	11	8	1962	11	33
Jan. 2, 1898 to Jan. 1, 1899	12	9	1963	12	34
Jan. 2, 1899 to Jan. 1, 1900	13	10	1964	13	35
Jan. 2, 1900 to Jan. 1, 1901	14	11	1965	14	36
Jan. 2, 1901 to Jan. 1, 1902	15	12	1966	15	37
Jan. 2, 1902 to Jan. 1, 1903	16	13	1967	16	38
Jan. 2, 1903 to Jan. 1, 1904	17	14	1968	17	39
Jan. 2, 1904 to Jan. 1, 1905	18	15	1969	18	40
Jan. 2, 1905 to Jan. 1, 1906	19	16	1970	19	41
Jan. 2, 1906 to Jan. 1, 1907	20	17	1971	20	42
Jan. 2, 1907 to Jan. 1, 1908	21	18	1972	21	43
Jan. 2, 1908 to Jan. 1, 1909	22	19	1973	22	44
Jan. 2, 1909 to Jan. 1, 1910	23	20	1974	23	45
Jan. 2, 1910 to Jan. 1, 1911	24	21	1975	24	46
Jan. 2, 1911 to Jan. 1, 1912	24	22	1976	25	47
Jan. 2, 1912 to Jan. 1, 1913	24	23	1977	26	48
Jan. 2, 1913 to Jan. 1, 1914	24	24	1978	27	49
Jan. 2, 1914 to Jan. 1, 1915	25	25	1979	28	50
Jan. 2, 1915 to Jan. 1, 1916	26	26	1980	29	51
Jan. 2, 1916 to Jan. 1, 1917	27	27	1981	30	52
Jan. 2, 1917 to Jan. 1, 1918	28	28	1982	31	53
Jan. 2, 1918 to Jan. 1, 1919	29	29	1983	32	54
Jan. 2, 1919 to Jan. 1, 1920	30	30	1984	33	55
Jan. 2, 1920 to Jan. 1, 1921	31	31	1985	34	56
Jan. 2, 1921 to Jan. 1, 1922	32	32	1986	35	57
Jan. 2, 1922 to Jan. 1, 1923	33	33	1987	36	58
Jan. 2, 1923 to Jan. 1, 1924	34	34	1988	37	59
Jan. 2, 1924 to Jan. 1, 1925	35	35	1989	38	60
Jan. 2, 1925 to Jan. 1, 1926	36	36	1990	39	61
Jan. 2, 1926 to Jan. 1, 1927	37	37	1991	40	62
Jan. 2, 1927 to Jan. 1, 1928	38	38			
Jan. 2, 1928 to Jan. 1, 1929	39	39			
Jan. 2, 1929 or later	40	40			

1 Or earlier.

2 Or younger.

3 Or later.

(1) *Required quarters of coverage.* The number of quarters of coverage required for a fully insured status appears in column II on the same line as that in column I on which appears the date of birth. If the individual dies before attaining the determining age (see § 404.108(a)), the number of quarters required appears in column III(b) opposite the year in which he died, if he was born January 1, 1930, or earlier (column III(a)), or if born January 2, 1930, or later, his age in year of death (column III(c)).

(2) *Period of disability to be excluded.* In any case in which an individual had a period of disability established which is to be excluded in determining the number of quarters of coverage required for a fully insured status (see § 404.109(c)), the number of quarters of coverage determined in accordance with paragraph

(f)(1) of this section is reduced by one whenever a year or any part of a year falls within the established period of disability.

[FR Doc.74-30285 Filed 12-26-74;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 655—TRAFFIC CONTROL

Traffic Control Devices on Federal-Aid and Other Streets and Highways; Redesignations and Miscellaneous Amendments

In FR Doc. 74-22948, published at page 35650 in the issue dated Thursday, October 3, 1974, § 655.604 included two paragraphs designated as "(c) Highway safety funds." The first of these two paragraphs is redesignated as paragraph

(b) and its heading should read: (b) *Highway planning and research funds.* The words "These funds" in the first and second lines are deleted.

In the same document, the following amendments are made since certain compliance dates are imminent and substantiating data is presently available.

Section 655.603(a)(1) is redesignated as § 655.603(a)(1)(i).

Section 655.603(a) is renumbered as § 655.603(a)(1) and the italicized word "Compliance" is replaced by the italicized phrase "State and Federal-aid system routes."

Section 655.603(a)(2) is redesignated as § 655.603(a)(1)(ii).

Section 655.603(a)(3) is redesignated as § 655.603(a)(1)(iii).

Section 655.603(b) is redesignated as § 655.603(a)(1)(iv) with the heading "Construction and maintenance" and the words "by contract provision" deleted.

A new § 655.603(a)(2) will be added reading as follows:

(2) All other public roads:

(i) The target date for full conversion of signs to the new standards is December 31, 1976.

(ii) The pavement marking target date for compliance is December 31, 1975.

(iii) The target date for upgrading traffic signals is December 31, 1977.

(iv) Compliance target date for construction and maintenance traffic control devices as contained in Part VI of the MUTCD is December 31, 1975.

Section 655.603(c) is redesignated as § 655.603(b) and the first sentence is deleted.

Section 655.603(d) is redesignated as § 655.603(c).

Section 655.604(a) is amended by revising the heading and first sentence to read as follows:

(a) *Inventory.* Highway Safety Standard Number 13, Traffic Engineering Services, requires an inventory of all traffic control devices. This inventory provides the information necessary for programming a traffic control devices upgrading project.

Section 655.609(b)(3) is amended by deleting the words "at the same time as other improvements are made."

Issued on: December 18, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-30045 Filed 12-26-74;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-432]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Lowndes	Benton, town of	Dec. 11, 1974. Suspension withdrawn.			
California	Los Angeles	San Fernando, city of	Dec. 23, 1974 Emergency	June 7, 1974		
Illinois	Moultrie	Lovington, village of	do	June 23, 1974		
Iowa	Mills	Pacific Junction, town of	do			
Louisiana	Lafourche Parish	Golden Meadow, town of	Dec. 11, 1974. Suspension withdrawn.			
Minnesota	Pennington	St. Ildefonso, city of	Dec. 23, 1974 Emergency	Sept. 20, 1974		
Nebraska	Hamilton	Aurora, city of	do	May 3, 1974		
Do	Saline	DeWitt, village of	do	Dec. 7, 1973		
Do	Otoe	Talmage, village of	do	Sept. 13, 1974		
New York	Tompkins	Ulysses, town of	do	June 14, 1974		
Ohio	Warren	Lebanon, city of	do	May 10, 1974		
Oregon	Lane	Crosswell, city of	do	Dec. 28, 1973		
Pennsylvania	Beaver	West Mayfield, borough of	do			
South Dakota	Davison	Mitchell, city of	do	Mar. 22, 1974		
Wisconsin	Sauk	Plain, village of	do			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 16, 1974.

[FR Doc. 74-30004 Filed 12-26-74; 8:45 am]

[Docket No. FI-433]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Georgia	Evans	Claxton, city of	Dec. 19, 1974. Emergency	June 28, 1974		
Iowa	Chickasaw	Nashua, city of	do	May 25, 1974		
Michigan	Ontonagon	Carp Lake, township of	do			
Mississippi	Holmes	Tchula, town of	do	Jan. 23, 1974		
Missouri	St. Louis	Shrewsbury, city of	do	Mar. 29, 1974		
New Jersey	Camden	Gloucester, city of	do	June 28, 1974		
New York	Oneida	Camden, village of	do			
Oklahoma	Oklahoma	Nichols Hills, city of	do	Dec. 20, 1974		
Pennsylvania	McKean	Norwich, township of	do			
Do	Warren	Youngsville, borough of	do	Apr. 12, 1974		
Texas	Montgomery	Whispering Oaks, town of	do			
Do	Navarro	Corsicana, city of	do	Dec. 27, 1974		
Utah	Salt Lake	Murray, city of	do	Mar. 29, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 16, 1974.

[FR Doc. 74-30003 Filed 12-26-74; 8:45 am]

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN
AFFAIRS, DEPARTMENT OF THE INTERIOR
SUBCHAPTER H—ECONOMIC ENTERPRISESPART 80—INDIAN BUSINESS
DEVELOPMENT PROGRAM

Revision of Part

DECEMBER 23, 1974.

This notice is published in exercise of rulemaking authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on page 31984 of the September 3, 1974, FEDERAL REGISTER (39 FR 31984), there was published a notice of proposed rulemaking to revise Part 80, Subchapter H, Chapter I, of Title 25 of the Code of Federal Regulations. This revision is made pursuant to the authority contained in Section 404 of the Act of April 12, 1974 (88 Stat. 77).

The purpose of this revision of Part 80 is to prescribe the regulations and procedures under which non-reimbursable grants will be used to stimulate and increase Indian entrepreneurship and employment through acquisition, establishment and expansion of profitmaking Indian-owned economic enterprises which will contribute to the economy of Indian reservations.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed revision. During this period, comments and suggestions were submitted by interested persons. All comments and suggestions received were analyzed and considered in revising the proposed regulations. Several of the comments and suggestions pertained to expanding the grant program which would require legislative action to change the Indian Financing Act of 1974.

The following major revisions were made to the proposed regulations as a result of the comments received:

1. To provide space for additional sections, if subsequently needed, §§ 80.5, 80.6, 80.13, 80.14 and 80.19 have been reserved. This made it necessary to renumber the sections.

2. Several changes were made to the definitions in § 80.1. Unincorporated California rancherias were added to the definition of "reservation" in paragraph (j). Agriculture was added to the definition of "economic enterprise" in paragraph (k). "Grantee" was defined in a new paragraph (p). "Cooperative association" was defined in a new paragraph (q). "Corporation" was defined in a new paragraph (r). "Partnership" was defined in a new paragraph (s).

3. Section 80.3, *Eligible applicants*. This section was expanded and refined to clarify the meaning of Indian ownership and control of an economic enter-

prise. Added provision to permit organization under tribal law.

4. Section 80.7, *Location of enterprise*. Added requirement that economic enterprises which are or will be operated on a reservation must comply with all requirements of applicable rules, resolutions or ordinances adopted by the governing body of the tribes, if applicable.

5. Section 80.12, *Content of application*. A new paragraph (g) was added to this section requiring the preparation of a plan of operation acceptable to the lender and the Commissioner.

6. Section 80.17, *Limits of authority*. The title of this section was changed to "Grant limitations and requirements." Paragraph (a) was changed to clarify the requirement for a grant applicant to contact lenders in the area when information in the application indicates applicant may be able to obtain a loan for the total amount of financing required, without a grant. Paragraph (f) was revised to permit use of grant funds for refinancing or debt consolidation where approval is justified and required due to the financial position of an applicant and is clearly to the advantage of an applicant. A new paragraph (h) was added, establishing the conditions under which an application for a second grant will not be approved.

7. Section 80.18, *Written notice*. This is a new section which requires written notice to grant applicant whose application is disapproved of right to appeal under 25 CFR 2.

8. Section 80.20, *Disbursement of grant funds*. A provision was added to prohibit the disbursement of grant funds to a grantee until the lender making the loan has notified the Commissioner that a loan has been approved for the applicant for the amount of loan financing needed.

9. Section 80.21, *Return of unused funds*. This section has been added to require grantees to return grant funds if the enterprise is not initiated within the time stated in the grant agreement.

10. Section 80.22, *Reports*. This section was expanded to require reports from grantees for a longer period and semi-annually for the first two years after receipt of grant.

Other minor revisions were made for the purpose of clarification and understanding.

It is necessary that this program be initiated as soon as possible in order to prevent eligible Indians and Indian organizations from losing the business opportunities for which they immediately need the grants authorized by these regulations. Therefore, good cause is found for dispensing with the 30-day deferred effective date of these regulations under the exception provided in subsection (d) (3) of 5 U.S.C. 553 (1970). Accordingly, these regulations will become effective upon date of publication in the FEDERAL REGISTER.

As revised, Part 80 of Subchapter H, Chapter I, Title 25 of the Code of Federal Regulations reads as follows:

Sec.	Definitions.
80.1	Purpose.
80.2	Eligible applicants.
80.3	Eligible economic enterprises.
80.4	[Reserved]
80.5	[Reserved]
80.6	Location of enterprise.
80.7	Priority criteria.
80.8	Environmental and flood disaster protection.
80.9	Preservation of historical and archeological data.
80.10	Management and technical assistance.
80.11	Content of application.
80.12	[Reserved]
80.13	[Reserved]
80.14	Application procedures.
80.15	Grant approval authority.
80.16	Grant limitations and requirements.
80.17	Written notice.
80.18	[Reserved]
80.19	Disbursement of grant funds.
80.20	Return of unused funds.
80.21	Reports.
80.22	

AUTHORITY: Sec. 404, 88 Stat. 77.

§ 80.1 Definitions.

As used in this Part 80:

(a) "Secretary" means the Secretary of the Interior.

(b) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.

(c) "Area Director" means the Bureau official in charge of an Area Office or his authorized representative.

(d) "Superintendent" means the Bureau official in charge of a Bureau Agency office or other local office reporting to an Area Director.

(e) "Indian" means any person who is a member of any Indian tribe, band, group, pueblo or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any Native as defined in paragraph (f) of this section.

(f) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group.

(g) "Tribe" means any Indian tribe, band, group, pueblo or community and any Native village or Native group (including corporations organized by Kenai, Juneau, Sitka and Kodiak) as defined in paragraphs (h) and (i) of this section, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

(h) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of the Alaska Native Claims Settlement Act (85 Stat. 688), or which

meets the requirements of the Act, and which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance), composed of twenty-five or more Natives.

(i) "Native group" means any tribe, band, clan, village, community, or village association of Natives in Alaska composed of less than twenty-five Natives, who comprise a majority of the residents of the locality.

(j) "Reservation" means Indian reservations, unincorporated California rancherias, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act (85 Stat. 688).

(k) "Economic enterprise" means any Indian-owned, commercial, industrial, agricultural, or business activity established or organized for the purpose of profit, provided that eligible Indian ownership constitutes not less than fifty-one percent of the enterprise.

(l) "Organization" means the governing body of any Indian tribe, as defined in paragraph (g) of this section, or entity established or recognized by such governing body for the purpose of the Indian Financing Act of 1974 (88 Stat. 77).

(m) "Other organizations" means any non-Indian individual, firm, corporation, partnership, or association.

(n) "Personally operated enterprise" means a business activity personally owned and operated, and managed by an individual grantee on a full or part-time basis, with or without hired labor.

(o) "Profits" means the net income earned after deducting operating expenses from operating revenues.

(p) "Grantee(s)" means the recipient(s) of a nonreimbursable grant under this part.

(q) "Cooperative Association" means an association of individuals organized pursuant to state, federal or tribal law, for the purpose of owning and operating an economic enterprise for profit, with profits distributed or allocated to patrons who are members of the organization.

(r) "Corporation" means an entity organized pursuant to state, federal or tribal law, with or without stock, for the purpose of owning and operating an economic enterprise.

(s) "Partnership" means two or more persons engaged in the same business, sharing its profits and risks, organized pursuant to State, Federal, or Tribal law.

§ 80.2 Purpose.

The purpose of this Part 80 is to prescribe the regulations and procedures under which non-reimbursable grants may be made to eligible applicants to stimulate and increase Indian entrepreneurship and employment through establishment, acquisition or expansion of profit-making Indian-owned economic enterprises which will contribute to the economy of a reservation.

§ 80.3 Eligible applicants.

Applications for grants may be accepted only from individual Indians, Indian tribes, Indian partnerships, corporations or cooperative associations authorized to do business under State, Federal, or Tribal law. These applicants must have a form of organization acceptable to the Commissioner and unable to meet their total financing needs from their own resources and by loans from other sources such as banks, Farmers Home Administration, Small Business Administration, Production Credit Associations, and Federal Land Banks. Associations, corporations or partnerships shall be at least fifty-one percent owned by eligible Indians or an eligible Indian tribe. This Indian ownership must actively participate in the management and operation of the economic enterprise by representation on the board of directors of a corporation or cooperative association proportionate to the Indian ownership which will enable the Indian owner(s) to control management decisions. The legal organization documents will provide for the number of Indians which are to be on the board of directors, how they along with other directors will be elected or appointed and qualifications required as a condition for becoming a member of the board of directors. The legal organization documents shall provide safeguards which will prevent Indian ownership and control from decreasing below fifty-one percent. Evidence of Indian ownership in a cooperative association or corporation will be evidenced by stock ownership, if stock is or has been issued, or by other evidence satisfactory to the Commissioner. Partnerships will be evidenced by written partnership agreements which show the percentage of Indian ownership, role and authority in making management decisions in controlling the operation of the economic enterprise.

§ 80.4 Eligible economic enterprises.

An economic enterprise as defined in § 80.1(k) is eligible to receive equity capital through non-reimbursable grants if it is or will be self-sustaining and profit-oriented and will create employment for Indians. In the case of Indian-owned cooperative associations, they must distribute or allocate profits for later distribution, to members who are patrons, unless prohibited from doing so by law.

§ 80.5 [Reserved]

§ 80.6 [Reserved]

§ 80.7 Location of enterprise.

To be eligible for a grant an economic enterprise must be located on an Indian reservation or located where it makes or will make an economic contribution to a nearby reservation by providing employment to tribal members residing thereon or by expending a portion of its income for materials or services on the reservation. Economic enterprises which are or will be operated on a reservation must comply with the requirements of applicable rules, resolutions or ordinances

adopted by the governing body of the tribe, if applicable.

§ 80.8 Priority criteria.

The following priority will be used in selecting economic enterprises for grant funding:

(a) *First priority.* First priority will be given to economic enterprises located on a reservation that will:

(1) Utilize Indian resources, both natural and human.

(2) Create the highest ratio of Indian jobs to the total amount of dollars to be invested, including market value of materials and equipment contributed to the project.

(3) Create the highest ratio of income to a tribe or its members in relation to the total amount of dollars to be invested, including market value of materials or equipment contributed to the project.

(4) Generate the most non-Bureau financing.

(b) *Second priority.* Second priority will be given to projects located in the immediate vicinity of a reservation that will:

(1) Utilize Indian resources, both natural and human.

(2) Create the highest ratio of Indian jobs to the total amount of dollars to be invested, including market value of materials and equipment contributed to the project.

(3) Generate the most non-Bureau financing.

§ 80.9 Environmental and flood disaster protection.

Grant funds will not be advanced until there is assurance of compliance with any applicable provisions of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), the National Environmental Policy Act (Pub. L. 91-190), 42 U.S.C. 4321 and Executive Order 11514.

§ 80.10 Preservation of historical and archeological data.

The Commissioner, before approving a grant where the grant funds and/or the loan funds will be used to finance activities involving excavations, road construction, and land development or involving the disturbance of land on known or reported historical or archeological sites, will take appropriate action to assure compliance with applicable provisions of the Act of June 27, 1960 (74 Stat. 220 (16 U.S.C. 469)), as amended by the Act of May 24, 1974 (Pub. L. 93-291, 88 Stat. 174), relating to the preservation of historical and archeological data.

§ 80.11 Management and technical assistance.

(a) Concurrent with the approval of a grant to finance an Indian economic enterprise, the Commissioner will insure that competent management and technical assistance is available to the grantee consistent with the grantee's knowledge and experience and the nature and complexity of the economic enterprise being financed. Assistance may be provided by available Bureau of

Indian Affairs staff, other government agencies including states, tribes, or other sources which the Commissioner considers competent to provide needed assistance. It is intended that contracting for management and technical assistance be used only when adequate assistance is not available without cost. Contracts entered into in order to provide grantees with competent management and technical assistance shall be in accordance with applicable sections of the Federal Procurement Regulations and the Buy Indian Act of April 30, 1908, chapter 153 (35 Stat. 71) as amended June 25, 1910, chapter 431, section 25, (36 Stat. 861).

(b) The lender providing the loan funds under § 80.17(b) to finance an economic enterprise will include with the grantee's application the need for equity capital, the lender's evaluation of the applicant's need for management and technical assistance, specific areas of need and whether the lender will provide such assistance to the applicant.

§ 80.12 Content of application.

Applications shall be on a form prescribed by the Commissioner which shall at the minimum include:

(a) Total capital requirement, including operating capital required until such time as the cash generated from operations will be sufficient to make the enterprise self-sustaining.

(b) Amount of total financing required as well as what is obtainable from other sources, including the applicant's personal resources, and a statement of terms and conditions under which any borrowed portion is obtainable.

(c) Capital deficiency, which will be the basis for the amount of grant requested.

(d) Pro forma balance sheets and operating statements showing estimated expenses, income and net profit from operations for three years following receipt of the requested grant.

(e) Annual operating statements and balance sheets, audited if available, for the prior two years or applicable years for enterprises already in operation.

(f) Current financial statements, consisting of a balance sheet and operating statement.

(g) A plan of operation which shall be acceptable to the lender making the loan and the Commissioner.

§ 80.13 [Reserved]

§ 80.14 [Reserved]

§ 80.15 Application procedures.

Applications are to be submitted to the Superintendent having administrative jurisdiction over the reservation on which an enterprise will be or is located. If the enterprise site is near two or more reservations, application is to be made to the Superintendent having administrative jurisdiction over the reservation nearest to the location of the enterprise which the enterprise will benefit economically.

§ 80.16 Grant approval authority.

Applications for grants require approval by the Commissioner.

§ 80.17 Grant limitations and requirements.

(a) Grants will be made to assist in establishing new economic enterprises, or in purchasing or expanding established ones. However, a grant may be made only when in the opinion of the Commissioner the applicant is unable to obtain adequate financing from other sources such as banks, Farmers Home Administration, Production Credit Associations, Federal Land Banks and, is also unable to obtain a guaranteed or insured loan under Title II of the Indian Financing Act of 1974 (88 Stat. 77). Prior to making any grant, the Commissioner shall assure that, where practical, the applicant has reasonably made available for loan security and/or for input into the economic enterprise collateral or funds from his own resources. If the information in an application indicates that it may be possible for the applicant to obtain financing without a grant, the Commissioner will require the applicant to furnish letters from two customary lenders in the area, if available, who are making loans for similar purposes, showing whether or not they will make a loan to the applicant for the total financing needed without a grant.

(b) A grant may be made only to an applicant who is able to obtain at least 60 percent of the necessary financing from other sources.

(c) No grant in excess of \$50,000 may be made to any applicant.

(d) Revolving loan funds as prescribed in Title I of the Indian Financing Act of 1974 and guaranteed or insured loans as prescribed in Title II of said Act may not be used as the sources of the loan portion of the total financing requirement if financing from other governmental or institutional lenders is available on reasonable terms and conditions. If a loan is not available from other sources, guaranteed or insured loans under the provisions of Title II of said Act may then be considered. If a guaranteed or insured loan is not available loans under the provisions of Title I of said Act may then be considered. Applicants for a loan from either source must meet the eligibility requirements for such loans.

(e) A grant will not be approved unless there is assurance the applicant can and will be provided with needed competent technical and management assistance commensurate with the nature of the enterprise to be funded and the knowledge and management skills of the applicant.

(f) Grant funds may not be used for refinancing or debt consolidation unless approval is justified and required due to the applicant's financial position and is clearly to the advantage of the grant applicant.

(g) Ordinarily, no more than one grant will be made for a project. Nevertheless, in certain circumstances a second grant may be made to the same applicant for a new project or expansion of the original project. An addition grant will not be approved for an economic enterprise previously funded under the provisions

of Title IV of the Indian Financing Act of 1974 except for expanding a successful enterprise, provided the total of grants made shall not exceed \$50,000. Information to be submitted with the application will include at a minimum the following:

(1) Use made of the prior grant. Where practical, evidence of such use shall be furnished.

(2) Evidence of competent management.

(3) Maintenance of adequate accounting records.

(4) That the operation is profitable as evidenced by operating statements and balance sheets prepared from the accounting records.

(5) That expansion will increase the net profit and/or increase Indian employment.

(h) An application for a second grant will not be approved if the applicant: (1) has not complied with the reporting requirements in connection with the first grant, or (2) has not followed the plan of operation, if any, developed for the management and operation of the economic enterprise, or (3) did not follow and use the management and technical assistance furnished, or (4) is in violation of one or more provisions of the loan agreement entered into between the applicant and the lender who furnished the loan portion of the financing in connection with the first grant.

(i) An applicant for an expansion grant must meet the same eligibility requirements as an original applicant.

§ 80.18 Written notice.

The applicant for a grant which is disapproved will be notified by letter, stating the reasons for disapproval and the right of appeal pursuant to 25 CFR § 2.21, et seq. A copy of the letter will be sent to the prospective lender.

§ 80.19 [Reserved]

§ 80.20 Disbursement of grant funds.

Unless otherwise provided by an agreement between a lender and the grantee, the Commissioner may in his discretion advance grant funds directly to a grantee. He may require the funds to be deposited in a special account at the appropriate Agency headquarters office or deposited in a joint account in a bank and disbursed as needed by the grantee. The terms of a lender's loan agreement may require the lender's approval before disbursement of the funds. Grant funds will not be disbursed to a grantee until the Commissioner has been informed by the lender that a loan has been approved for the grantee in the amount of the loan financing needed.

§ 80.21 Return of unused funds.

Grantees will be required to return unused grant funds to the Commissioner if the economic enterprise for which the grant was approved is not initiated, i.e., lease obtained, if needed, construction started, equipment purchased or other, within the time stated in the grant agreement. The Commissioner may, if warranted by circumstances beyond the control of the grantee, extend the time to

allow for initiation of the enterprise, provided there is assurance the enterprise will be initiated forthwith within the extended time period. The Commissioner will notify the lender in writing of a proposed action to require the return of grant funds or of a proposal to extend the time.

§ 80.22 Reports.

(a) Grantees are required to furnish the Commissioner comparative balance sheets and profit and loss statements semi-annually for the first two years of operation following receipt of the grant, and annually thereafter for the succeeding three years. These may be copies of financial statements required by and furnished to the lender which provided the loan portion of the total financing required. If the lender does not require financial statements, the grantee must prepare and furnish copies of comparative balance sheets and profit and loss statements to the Commissioner.

(b) The Commissioner will establish accounting and reporting systems which will appropriately show the status of the Indian Business Development Program at all times.

RAYMOND V. BUTLER,
Acting Deputy Commissioner
of Indian Affairs.

[FR Doc.74-30254 Filed 12-26-74;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER A—INCOME TAX

[T. D. 7338]

PART 11—TEMPORARY INCOME TAX REGULATIONS UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Temporary Regulations Relating to Elections With Respect to Retroactive Amendments

This document contains temporary income tax regulations (26 CFR Part 11) under section 412(c) (8) of the Internal Revenue Code, as added by section 1013 of the Employee Retirement Income Security Act of 1974, in order to provide rules for elections with respect to retroactive plan amendments pursuant to both section 412(c) (8) of the Code and section 302(c) (8) of such Act.

Section 412 of the Internal Revenue Code of 1954 provides minimum funding standards for certain pension plans. Subsection (c) (8) of section 412 provides that certain plan amendments adopted after the close of the plan year may be given retroactive effect.

Under section 412(c) (8), a plan amendment adopted after the close of a plan year will be deemed to have been made on the first day of the plan year at the election of the plan administrator as long as the amendment does not reduce the accrued benefit of any participant determined as of the beginning of such plan year.

For multiemployer plans, an amendment must be adopted no later than two years after the close of the plan year. In the case of all other plans, the amendment must be adopted no later than two and one-half months after the close of the plan year.

If an amendment reduces the accrued benefit of any participant determined as of the date of adoption of the amendment, approval of the Secretary of Labor must be requested before an election as to retroactive application can take effect. Approved by the Secretary of Labor is based on a finding of substantial business hardship in accordance with the factors outlined in section 412(d) (2) of the Code, and a determination that a waiver by the Secretary of the Treasury for substantial business hardship under section 412(d) (1) of the Code is unavailable or inadequate.

The temporary regulations provide, in general, that the election under section 412(c) (8) of the Code is to be made by attaching a statement of election to the annual information return required to be filed by the employer or plan administrator under section 6058 of the Code. The statement of election must state the date the plan year ended and the date the amendment was adopted. It must also contain a statement that the amendment does not reduce the accrued benefit of any employee as of the beginning of the plan year in question. In addition, it must contain either (1) a statement that the amendment does not reduce any accrued benefits as of the date of adoption, or (2) a copy of the notice filed with the Secretary of Labor and a statement as to whether approval has been granted, or the Secretary has failed to act within 90 days.

The report of the Conference Committee on the Employee Retirement Income Security Act of 1974 states that section 412(c) (8) was intended to allow amendments that retroactively reduce accrued benefits only in a situation where (1) there would otherwise be an accumulated funding deficiency for all or part of the plan year, (2) the funding deficiency could not be avoided through the implementation of any other reasonably available alternative (such as a waiver of the minimum funding requirements under section 412(d) or an extension of the amortization period under section 412(e)), and (3) the funding deficiency was not primarily attributable to the failure by employers to discharge contractual obligations to make contributions under the plan.

Special rules provide for the making of elections after the annual information return has been filed. The temporary regulations apply for purposes of section 412(c) (8) of the Code and section 302(c) (8) of the Employee Retirement Income Security Act of 1974 (88 Stat. 872).

Amendments to the regulations. In order to prescribe temporary regulations relating to elections with respect to retroactive plan amendments pursuant to section 412(c) (8) of the Internal Revenue Code of 1954, as added by section 1013 of the Employee Retirement Income

Security Act of 1974 (P.L. 93-406, 88 Stat. 917) and section 302(c) (8) of such Act (88 Stat. 872), the following temporary regulations are hereby adopted:

§ 11.412(c)-7 Election to treat certain retroactive plan amendments as made on the first day of the plan year.

(a) General rule. Under section 412(c) (8), a plan administrator may elect to have any amendment which is adopted after the close of the plan year to which it applies deemed to have been made on the first day of such plan year if the amendment—

(1) Is adopted no later than 2 and one-half months after the close of such plan year (or, in the case of a multi-employer plan, no later than 2 years after the close of such plan year),

(2) Does not reduce the accrued benefit of any participant determined as of the beginning of such plan year, and

(3) Does not reduce the accrued benefit of any participant determined as of the time of adoption of the amendment, or, if it does so reduce such accrued benefit, it is shown that the plan administrator filed a notice with the Secretary of Labor notifying him of the amendment, and—

(i) The Secretary of Labor approved the amendment, or

(ii) The Secretary of Labor failed to disapprove the amendment within 90 days after the date on which the notice was filed.

(b) Time and manner of making election. (1) The election under section 412(c) (8) shall be made by the plan administrator by a statement of election described in subparagraph (3) of this paragraph, attached to the annual return relating to minimum funding standards required to be filed under section 6058 with respect to the plan year to which the election relates.

(2) In the event that an amendment to which paragraph (a) of this section applies is adopted after the filing of the annual return required under section 6058, the plan administrator may make the election under section 412(c) (8) by attaching a statement of election, described in paragraph (b) (3) of this section, to a copy of such annual return, and filing such copy no later than the time allowed for the filing of such returns under section 6058. (In the case of multiemployer plans, such copy may be filed within a 24 month period beginning with the date prescribed for the filing of such returns.)

(3) The statement of election filed by or on behalf of the plan administrator shall—

(i) State the date of the close of the first plan year to which the amendment applies and the date on which the amendment was adopted;

(ii) Contain a statement that the amendment does not reduce the accrued benefit of any participant determined as of the beginning of the plan year preceding the plan year in which the amendment is adopted; and

(iii) Contain either—

(A) A statement that the amendment does not reduce the accrued benefit of any participant determined as of the time of adoption of such amendment, or

(B) A copy of the notice filed with the Secretary of Labor under section 412(c) (8) and a statement that either the Secretary of Labor has approved the amendment or he has failed to act within 90 days after notification of the amendment.

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 7806 Internal Revenue Code of 1954 68A Stat. 917 (26 U.S.C. 7805))

Approved: December 20, 1974.

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

FREDERICK W. HICKMAN,
Assistant Secretary of the Treasury.

[FR Doc. 74-30277 Filed 12-26-74; 8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Hawaii Plan; Approval of Occupational Health Plan

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On January 4, 1974, a notice was published in the FEDERAL REGISTER (39 FR 1010) of the approval of the Hawaii plan and of the adoption of Subpart Y of Part 1952 containing the decision of approval. On April 16, 1974, the State of Hawaii submitted a supplement to the plan involving developmental changes (see Subpart B of 29 CFR Part 1953). On October 21, 1974, a notice was published in the FEDERAL REGISTER (39 FR 37440) concerning the submission of this supplement to the Assistant Secretary of Labor for Occupational Safety and Health and the fact that the question of its approval was before him.

The supplement contained the occupational health plan for Hawaii. The plan provides that responsibility for the Hawaii occupational health program will be lodged in the Branch of Occupational Health of the Department of Labor and Industrial Relations, Division of Occupational Safety and Health. The Branch is to be fully staffed with a complement of ten persons within the three year developmental period. The

supplement also provides for the participation of State laboratory services in the proficiency testing program operated by the National Institute for Occupational Safety and Health and also includes the Hawaii Occupational Health Laboratory Standard Procedures Manual. Joint funding of the occupational health program by the State and Federal governments under section 23(g) of the Act (29 U.S.C. 672(g)) is provided.

In addition, the developmental schedule for the implementation of the Hawaii occupational health program has been revised by the supplement. Full implementation of the occupational health program is now scheduled for January 1975, rather than December 1974.

Interested persons were afforded at least 30 days from the publication of the proposed supplement in the FEDERAL REGISTER to submit written comments or request an informal hearing concerning the supplements.

2. *Issues.* No comments or requests for a hearing were received during the period provided for public comments. However, in the course of the review of the supplement by the Assistant Secretary, the adequacy of the Hawaii procedures for the safeguarding of samples submitted for analysis was questioned, particularly in regard to their acceptance as evidence in any legal proceedings which might arise. By letter dated November 19, 1974, the State has provided assurances that a supplement will be added to its Occupational Health Laboratory Standard Procedures Manual which would provide adequate safeguards for samples submitted for analysis.

3. *Decision.* After consideration of the Hawaii plan supplement and the assurances of November 19, 1974, incorporated in it, it is hereby approved under Subpart B of 29 CFR Part 1953. The decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally.

In accordance with this decision, Subpart Y of 29 CFR Part 1952 is amended as set forth below, effective December 20, 1974.

1. Section 1952.133 is corrected to be numbered § 1952.313; paragraphs 1 through 5 of renumbered § 1952.313 are redesignated as paragraphs (a) through (e) respectively, and redesignated paragraph (d) is amended to read as follows:

§ 1952.313 Developmental schedule.

(d) Complete implementation of occupational health program in January 1975.

2. Section 1952.314 of Subpart Y (appearing at 39 FR 44203; Dec. 23, 1974) is amended by inserting "(a)" before the first paragraph and by adding a new paragraph, (b), to read as follows:

§ 1952.314 Completed developmental steps.

(b) In accordance with § 1952.313(d), as amended, the Hawaii Occupational

Health Plan was submitted to the Assistant Secretary on April 16, 1974, and approved on December 20, 1974, incorporating assurances from the State, by letter dated November 19, 1974.

(Secs. 8(g) (2), 18, Pub. L. 84 Stat. 1600, 1608 (29 U.S.C. 657(g) (2), 667))

Signed at Washington, D.C. this 20th day of December 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-30227 Filed 12-26-74; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 204—DANGER ZONE REGULATIONS

Gulf of Mexico, Florida and Strait of Juan De Fuca, Washington

1. a. On September 13, 1974, the Department of the Army, acting through the Chief of Engineers, published in the FEDERAL REGISTER (39 FR 33003) proposed regulations to amend the present regulations in 33 CFR 204.120 which governs the use of navigation of danger zones in the Gulf of Mexico, southeast of St. Andrew Bay, east entrance, Florida.

b. The public comment period for this regulation expired on October 15, 1974. No comments were received.

c. The Department of the Army, acting through the Corps of Engineers is publishing herewith the final regulations as set forth below.

2. a. On October 9, 1974, the Department of the Army, acting through the Chief of Engineers, published in the FEDERAL REGISTER (39 FR 36347 and 36348) regulations to govern the use and navigation of a restricted area in the Strait of Juan de Fuca in the vicinity of Smith Island, Washington.

b. The comment period for this regulation expired on November 8, 1974. No comments were received.

c. The Department of the Army, acting through the Corps of Engineers is publishing herewith the final regulations as set forth below.

By authority of the Secretary of the Army.

FRED R. ZIMMERMAN,
Chief,
Plans Office, TAGO.

Accordingly, §§ 204.120(a) (1) and 204.220 are revised to read as follows:

§ 204.120 Gulf of Mexico, southeast of St. Andrew Bay East Entrance, Small Arms Firing Range, Tyndall Air Force Base, Fla.

(a) *The Danger Zones*—(1) *Area No. 1.* The waters of the Gulf of Mexico, southeast of St. Andrew Bay East Entrance within a rectangular area beginning at a point on shore at latitude 30°04'32", longitude 85°37'07"; thence to latitude 30°03'03", longitude 85°38'42"; thence to latitude 30°02'14", longitude 85°37'15"; thence to a point on shore at latitude 30°04'13", longitude

85°36'47"; thence along the shoreline to the point of beginning.

(Regs. December 9, 1974, 1522-01 (Gulf of Mexico, Fla.)—DAEN-CWO-N) (Sec. 7, 40 Stat. 266, Chap. XIX, 40 Stat. 892; (33 U.S.C. 1, 3))

§ 204.220 Strait of Juan de Fuca, Washington; air-to-surface weapon range, restricted area.

(a) *The restricted area.* A circular area immediately west of Smith Island with a radius of 1.25 nautical miles having its center at latitude 49°19'11" North and longitude 122°54'12" West. In the center of the area will be located a lighted and radar reflective buoy to serve as a navigational aid to mariners. The area will be used for air-to-surface target practice using non-explosive training devices.

(b) *The regulations.* (1) No vessel or other watercraft shall enter or remain within the designated restricted area between 0700 and 2400 hours daily, local time except as authorized by the enforcing agency and as follows: The area will be open to commercial gill net fishing during scheduled fishing periods from 15 June through 15 October annually. The October 15 closure date will be extended by the enforcing agency if determined as advantageous to the commercial gill net fishing by the Washington State Department of Fisheries.

(2) Prior to each target practice operation the restricted area will be patrolled by naval aircraft. Those vessels found within the restricted area will be overflown by the aircraft at an altitude of not less than 300' in the direction in which the unauthorized vessel is to proceed to clear the area.

(c) The regulations in this section shall be enforced by the Commandant, Thirteenth Naval District, Seattle, Washington, and such agencies as he may designate.

(Regs. December 9, 1974, 1522-01 (Strait of Juan de Fuca, Washington)—DAEN-CWO-N) (Sec. 7, 40 Stat. 266, Chap. XIX, 40 Stat. 892; (33 U.S.C. 1, 3))

[FR Doc. 74-30195 Filed 12-26-74; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER H—UTILIZATION AND DISPOSAL

[FPMR Amdt. H-87]

MANAGEMENT OF GOVERNMENT-OWNED PERSONAL PROPERTY

Changes in Titles, Addresses, and Administrative Procedures

This regulation provides editorial and procedural changes to update existing regulations.

PART 101-42—PROPERTY REHABILITATION SERVICES AND FACILITIES

Subpart 101-42.1—Sources of Property Rehabilitation Services

1. Section 101-42.101 is amended as follows:

§ 101-42.101 General.

(a) The GSA Supply Catalog is published by the Federal Supply Service, GSA, to indicate sources of supply and service provided by GSA for the use of Federal agencies, including property rehabilitation type service contracts. The GSA Supply Catalog is issued in accordance with Subpart 101-30.6.

(b) GSA regional Federal Supply Service offices periodically issue bulletins to heads of Federal agencies to provide information concerning GSA service support for the maintenance, repair, rehabilitation, and reclamation of Government-owned personal property.

(c) A GSA regional Federal Supply Service office will, upon receipt of a written request from a Federal agency serviced by that office, develop sources of services, evaluate contractor capabilities, and conduct surveys or studies to justify establishing term contracts for services not available at the time the needs arise.

2. Section 101-42.102-1(b) is revised to read as follows:

§ 101-42.102-1 Primary source provisions.

(b) When an agency determines that services available from an existing term contract price schedule will not fill its required needs, a request to waive the requirement shall be submitted to the GSA regional Federal Supply Service office administering the contract. These requests shall specify the quantities involved, describe the difference between the services required and those listed in the price schedule, and give the reasons why the services will not meet the requirements. Waivers are not required in the case of public exigencies.

3. Section 101-42.102-3 is revised to read as follows:

§ 101-42.102-3 Contract administration.

GSA regional Federal Supply Service offices administer service contracts for and on behalf of the contracting office with respect to: (a) expediting orders; (b) evaluating the acceptability of contract workmanship; (c) ensuring contractor compliance with technical requirements of the contract; and (d) assisting in the resolution of issues that may arise between ordering agencies and contractors concerning performance of contract provisions.

Subpart 101-42.2—Property Rehabilitation Services Performed by Federal Facilities

Section 101-42.203(b) is revised to read as follows:

§ 101-42.203 Notifications.

(b) Before establishing or substantially expanding facilities for repair, maintenance, rehabilitation, or reclamation of personal property, agencies shall furnish specific details of the proposal to the General Services Adminis-

tration (FW), Washington, D.C. 20406. The details should include type of facility, personnel complement, capability, and geographical area to be served so that the proposal may be evaluated against existing contracts and facilities. Information regarding Department of Defense facilities will pertain only to reconditioning or depot maintenance facilities.

PART 101-43—UTILIZATION OF PERSONAL PROPERTY

Subpart 101-43.3—Utilization of Excess

1. Section 101-43.303-1(b) is revised to read as follows:

§ 101-43.303-1 Acquisition of mercury.

(b) Mercury, minimum 99.9 percent pure (not triple distilled), is available for transfer from GSA stocks at fair market value. Requests for mercury by an agency for its use or for use by its cost-reimbursement type contractors shall be made to the Project Manager, Minerals and Ores, General Services Administration (AP), Washington, D.C. 20405. The Project Manager will furnish the current fair market value to the requesting agency which then will submit a request for transfer to the Project Manager for the quantity required. The unit of issue is a 76-pound flask.

2. Section 101-43.309 is revised to read as follows:

§ 101-43.309 Controlled substances.

Holding agencies shall arrange for transfers in accordance with § 101-43.315-5. In effecting the utilization of excess controlled substances, the holding agencies shall transfer excess controlled substances only to those Federal agencies which certify that they are registered with the Drug Enforcement Administration (DEA) (formerly the Bureau of Narcotics and Dangerous Drugs (BNDD)), Department of Justice, and are authorized to procure the particular controlled substances being transferred. The certification shall include the registration number of the BND Form 223, Certificate of Registration, issued by DEA.

3. Section 101-43.311-2 is revised to read as follows:

§ 101-43.311-2 Form and distribution of reports.

Reports of excess property shall be made on Standard Form 120, Report of Excess Personal Property, and Standard Form 120A, Continuation Sheet (Report of Excess Personal Property), illustrated in §§ 101-43.4902 and 101-43.4902-2, in accordance with the instructions in § 101-43.4902-1, or, when acceptable to GSA, by data processing output. The Standard Form 120 and 120A shall be submitted in an original and three copies. Reporting by data processing output shall be submitted in the number of copies agreed upon by GSA. Reports shall be submitted to the

GSA regional office for the region in which the property is located (see § 101-43.4903), except that reports of fixed wing and rotary wing aircraft shall be submitted to the General Services Administration (FW), Washington, DC 20406, and excess Standard forms with samples of such forms shall be submitted to the General Services Administration (3F), Washington, DC 20407, for potential redistribution under the Standard forms program. The reporting of excess ADPE shall be submitted as set forth in Subpart 101-32.47. Since Standard Form 120, Report of Excess Personal Property, is an operating supply document and submitted by agencies as excess property is generated, it is excluded from the inter-agency reporting requirement as set forth in Subpart 101-11.11 of this chapter.

4. Section 101-43.313-3 is revised to read as follows:

§ 101-43.313-3 Intangible property.

Excess intangible property shall be reported to the General Services Administration (F), Washington, DC 20406, and shall not be transferred or disposed of without prior approval of GSA except that bonds, notes, or other securities authorized to be disposed of by the Secretary of the Treasury under section 5 of the Act of April 3, 1945 (31 U.S.C. 741a), shall not be reported to GSA.

5. Section 101-43.315-2(d) is revised to read as follows:

§ 101-43.315-2 Information of availability.

(d) Submission of current and future requirements for excess personal property to the appropriate GSA regional office using revised GSA Form 1539, January 1974, Request for Excess Personal Property. Section 101-43.4904 illustrates GSA Form 1539, and § 101-43.4904-1 furnishes instructions for its acquisition and use. Property utilization specialists in GSA regional offices continually review completed forms in an effort to match agency needs with property becoming available for transfer. In addition, a mechanized method of cross matching agency requirements against reported excess property is used, keyed to the 13-digit national stock number (NSN), furnished by reporting agencies on Standard Form 120, Report of Excess Personal Property, and by requesting agencies on GSA Form 1539. A bank of requirements is maintained, recorded by agency, and identified by the applicable national item identification number (NIIN), (the last nine digits of the NSN). As excess property is reported, availability is matched against requirements on a direct NIIN to NIIN basis. It is important that wherever possible the NSN be shown for each item requested. GSA will assist agencies in obtaining NSN's so that the requirements may be incorporated into the mechanized matching system. If substitute items are acceptable, these should be furnished at

the same time and identified by the NSN. Agencies having electrical accounting machine punchcard capability may elect to use this method of submitting requirements; in these instances, instructions for submission of requirements may be obtained from the Federal Supply Service, Personal Property Division, at each GSA regional office. Agencies may also submit a list of property requirements which will be incorporated into the mechanized requirements bank and retained for approximately 180 days. Reported excesses during this time, if matched with recorded requirements, will be offered for immediate transfer. Normally, items for which needs are registered will not be offered in GSA Excess Property Catalogs and GSA Excess Property Bulletins; thus, it is advantageous for agencies to update their list of items at the end of each 180-day period to derive maximum benefits from the excess property program and preclude removal of the items from the requirements bank.

6. Section 101-43.315-4(c) is revised to read as follows:

§ 101-43.315-4 Transfer for redistribution.

(c) Items which are identical to or can be substituted for items listed in the GSA Supply Catalog shall be furnished to agencies through the GSA stock program at prices to be determined by GSA.

7. Section 101-43.316-1(a) (1) is revised to read as follows:

§ 101-43.316-1 Utilization.

(a) * * *

(1) Typewriting machines; office furniture, machines, equipment, and supplies; motor vehicles and automotive equipment; printing and binding equipment; construction equipment (except hand tools); and all items in the GSA Supply Catalog.

Subpart 101-43.4—Utilization of Abandoned and Forfeited Personal Property

Section 101-43.402-5(d) (1) is revised to read as follows:

§ 101-43.402-5 Property required to be reported.

(d) * * *

(1) Controlled substances (as defined in § 101-43.104-4), regardless of quantity, condition, or acquisition cost, shall be reported to the Drug Enforcement Administration, Department of Justice, Washington, D.C. 20537.

Subpart 101-43.5—Utilization of Foreign Excess Personal Property

1. Section 101-43.504(c) is revised to read as follows:

§ 101-43.504 Screening and selection.

(c) Care will be exercised by the GSA onsite representatives in the selection of

property to ensure that it is economical to return the property to the United States for Federal use. Full consideration will be given by GSA onsite representatives to transportation and accessorial costs in determining whether property will be returned. Each GSA onsite representative is furnished a consolidated want list of personal property items identified by Federal Supply Classification (FSC). This want list is developed from needs registered by Federal agencies with GSA regional offices. The want list shall be used by the GSA onsite representatives as a specific guide in selecting personal property for return to the United States. Available items which are not on the want list will not be selected by GSA onsite representatives for return to the United States without prior coordination with the overseas property officer, General Services Administration (FW), Washington, DC 20406.

2. Section 101-43.505(a) is revised to read as follows:

§ 101-43.505 Assistance to ordering agencies.

(a) To assist Federal agencies in the selection and transfer of foreign excess personal property returned from overseas, an experienced utilization officer of the Federal Supply Service (FSS) in each GSA regional office has been designated as the Regional Overseas Property Officer (ROPO) to serve as the contact point with Federal agencies in his regional area. The regional utilization officer receives information on the property needs of Federal agencies and transmits it to the GSA onsite representatives through the appropriate operations control officer. He also disseminates information on property available to Federal agencies. The GSA FSS Central Office staff serves as the contact point for the utilization screening of available foreign excess personal property returned to the United States with the headquarters offices of Federal agencies.

Subpart 101-43.49—Illustrations

1. Section 101-43.4901(b) (2) is revised to read as follows:

§ 101-43.4901 Excess personal property reporting requirements.

(b) * * *

(2) Items in classes 1510 and 1520 held by the Department of Defense or other agencies shall be reported to the General Services Administration (FWU), Washington, DC 20406, rather than to a GSA regional office.

§ 101-43.4902-1 [Amended]

2. Section 101-43.4902-1(f), item 18(b), is revised to change the term, Federal stock numbers to national stock numbers.

3. Section 101-43.4903 is revised to read as follows:

¹ Form and instructions filed as part of the original documents.

§ 101-43.4903 Regional offices addresses and assigned areas.

Region	Office address	Regional areas
1.-----	General Services Administration, John W. McCormack Post Office and Courthouse, Boston, Mass. 02109.	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
2.-----	General Services Administration, 26 Federal Plaza, New York, N.Y. 10007.	New Jersey, New York, Commonwealth of Puerto Rico, Virgin Islands.
3.-----	General Services Administration, Region 3, Washington, D.C. 20407.	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
4.-----	General Services Administration, 1776 Peachtree Street N.W., Atlanta, Ga. 30309.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
5.-----	General Services Administration, 230 South Dearborn St., Chicago, Ill. 60604.	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
6.-----	General Services Administration, 1500 East Bannister Rd., Kansas City, Mo. 64131.	Iowa, Kansas, Missouri, Nebraska.
7.-----	General Services Administration, 819 Taylor St., Fort Worth, Tex. 76102.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
8.-----	General Services Administration, Building 41, Denver Federal Center, Denver, Colo. 80225.	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
9.-----	General Services Administration, 525 Market St., San Francisco, Calif. 94105.	Arizona, California, Hawaii, Nevada, Pacific Ocean areas.
10.-----	General Services Administration, GSA Center, Auburn, Wash. 98002.	Alaska, Idaho, Oregon, Washington.

§§ 101-43.4904 and 101-43.4904-1 [Amended]

4. Section 101-43.4904 is amended to illustrate the revised GSA Form 1539, January 1974, Request for Excess Personal Property.¹
5. Section 101-43.4904-1 is revised to illustrate current instructions¹ for preparing GSA Form 1539.

PART 101-44—DONATION OF PERSONAL PROPERTY

Subpart 101-44.3—Donation for Educational, Public Health, and Civil Defense, Including Research or Public Airport Purposes

1. Section 101-44.302(c) is revised to read as follows:

§ 101-44.302 Agency responsibility.

- (c) *Federal Aviation Administration.*
- (1) The Administrator of the Federal Aviation Administration (FAA) determines whether surplus property is essential, suitable, or desirable to fulfill the immediate or foreseeable future requirements for the development, improvement, operation, or maintenance of a public airport.
- (2) The Administrator of FAA is responsible for determining and enforcing

¹ Form and instructions filed as part of the original document.

ing compliance with the terms and conditions under which surplus property is transferred. FAA is also authorized to remove or permit the removal of certain restrictions against the use of such property which prevent or hamper the accomplishment of the purpose contemplated by the transfer.

2. Section 101-44.313 is amended as follows:

§ 101-44.313 Agency compliance.

(a) *General.* The Department of Defense (DOD), the Department of Health, Education, and Welfare (HEW), and FAA are responsible for developing and maintaining an effective system for the prevention or detection of situations involving the nonuse, improper use, or the unauthorized disposal of surplus property donated for educational public health, civil defense, or public airport purposes. This responsibility will include surveillance for any abuses of donated property; corrective action where such cases are discovered; and the furnishing of compliance reports, as may be required, to GSA.

(b) *Instructions.* DOD, HEW, and FAA will provide GSA with copies of internal instructions which outline the scope of their respective surveillance programs, the policies and methods for the enforcement of their compliance responsibilities, and the correction of abuses in the use or disposal of donated property. Copies of instructions to eligible donees concerning the proper use of donated property will also be furnished, and any changes made to these internal or external issuances and explanations thereof, will also be provided to GSA.

(c) *Reports.*

(1) For GSA to accumulate information as a basis for the exercise of its discretionary authority to approve the donation of surplus property, DOD, HEW, and FAA will make such reports on compliance actions as may be required by the Administrator of General Services.

3. Section 101-44.318 is revised to read as follows:

§ 101-44.318 Donation to public airports.

(a) *Requirements.* The Administrator of FAA or his duly authorized representative shall determine requirements for donable personal property of any State, political subdivision, municipality, or tax-supported institution for public airport use.

(b) *Eligibility.* The Administrator of FAA or his duly authorized representative shall prescribe the eligibility requirements for public airport applicants, and shall make determinations of eligibility.

(c) *Screening.* The Administrator of FAA, his duly authorized representatives, and duly accredited representatives of public airports shall be permitted to screen, at appropriate times, holding agencies' donable property, both reportable and nonreportable, and lists and records thereof when available.

(d) *Determination.* An applicant for surplus property, to be used for public airport purposes, shall make application to GSA using Standard Form 123, Application for Donation of Surplus Personal Property, in accordance with § 101-44.306, for donation approval of surplus property determined by the Administrator of FAA or his duly authorized representative to be essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport, or reasonably necessary to fulfill the immediate and foreseeable future requirements of the grantees for the development, improvement, operation, or maintenance of a public airport. Applications shall be prepared in accordance with § 101-44.307 and shall not require shipment of unreasonably small quantities.

(e) *Approval.* Subject to prior approval of GSA, surplus personal property determined essential, suitable, or desirable for public airport use by the Administrator of FAA or his duly authorized representative may be transferred direct to the specific public airport applicant.

Subpart 101-44.6—Donation of Abandoned and Forfeited Personal Property

Sections 101-44.601-2, 101-44.601-3, and 101-44.601-5 are revised to read as follows:

§ 101-44.601-2 Establishment of eligibility.

Eleemosynary institutions desiring to obtain available distilled spirits, wine, and malt beverages shall submit GSA Form 18, Application of Eleemosynary Institution (see § 101-44.4904), to the General Services Administration (3FW), Washington, DC 20407.

§ 101-44.601-3 Requests by institutions.

Eligible institutions desiring to obtain available distilled spirits, wine, and malt beverages shall show on the GSA Form 18, Application of Eleemosynary Institution, the kind and quantity desired. The Federal Supply Service, GSA Region 3, will advise the eligible institution when such alcoholic beverages become available, request confirmation that the institution's requirement is current, and advise the institution that shipment will be initiated upon such confirmation.

§ 101-44.601-5 Donation of lots not required to be reported.

Forfeited distilled spirits, wine, and malt beverages not required to be reported under § 101-43.402-5 may be donated to eleemosynary institutions known to be eligible therefor if the beverages are determined by the seizing agency to be suitable for human consumption. The holding agency shall promptly report such donations by letter to the General Services Administration (3FW), Washington, DC 20407. This report shall state the quantity and type so donated, the name and address of the donee institution, and the date of the donation.

RULES AND REGULATIONS

PART 101-45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Subpart 101-45.3—Sale of Personal Property

1. Section 101-45.303(b) is revised to read as follows:

§ 101-45.303 Reporting property for sale.

(b) *Nonreportable property.* Property not required to be reported for utilization screening and for which any required donation screening has been completed shall be reported to the appropriate GSA regional office on Standard Form 126, Report of Personal Property for Sale (illustrated in § 101-45.4923). Standard Form 126A, Report of Personal Property for Sale (Continuation Sheet), shall be used if additional pages are required (illustrated in § 101-45.4923-1). Standard Forms 126 and 126A are stocked as five-part carbon interleaved forms and may be obtained from GSA supply distribution facilities.

2. Section 101-45.304-8 is amended as follows:

§ 101-45.304-8 Forms prescribed.

(a) *Deviation.* In the interest of establishing and maintaining uniformity in Government sales contracts, no deviation shall be made from the Standard Form 114 series, and no special conditions of sales shall be included which are inconsistent with the provisions contained therein, unless approval is obtained from the Commissioner, Federal Supply Service, General Services Administration, Washington, DC 20406.

(d) *Other special conditions.*

(1) Other special terms and conditions considered by a selling agency to be necessary for the particular property offered for sale and not inconsistent with those contained in the forms prescribed in this § 101-45.304-8 may be incorporated in invitations for bids in which these forms are used. Such additional terms and conditions should be kept to an absolute minimum. To the extent practicable, incorporation of such special conditions should be accomplished by a special form developed by the selling agency for that purpose and so indicated on Standard Form 114, Sale of Government Property-Bid and Award. Each selling agency shall review periodically such terms and conditions which are in common use in its agency with a view to standardization of those in general use and elimination of unnecessary additions. The agency shall, from time to time, forward to the Commissioner, Federal Supply Service, General Services Administration, Washington, DC 20406, such additional terms and conditions desirable for inclusion in the standard forms.

3. Section 101-45.309-6 is amended as follows:

§ 101-45.309-6 Controlled substances.

(a)

(3) Be distributed only to bidders who are registered with the Drug Enforcement Administration, Department of Justice, to manufacture, distribute, or dispense the controlled substances for which the bid is being submitted; and

(4) Contain the following special condition of sale:

The Bidder shall complete, sign, and return with his bid the certificate as contained in this invitation. No award will be made or sale consummated until after this agency has obtained from the Drug Enforcement Administration, Department of Justice, verification that the Bidder is registered to manufacture, distribute, or dispense those controlled substances which are the subject of the award.

(b) The following certification shall be made a part of the invitation for bids (and contract) to be completed and signed by the bidder and returned with the bid:

The Bidder certifies that he is registered with the Drug Enforcement Administration, Department of Justice, as a manufacturer, distributor, or dispenser of the controlled substances for which bids are submitted and that the registration number is -----

Name of bidder
(print or type).

Signature of bidder.

Address of bidder
(print or type).

City State ZIP code.

(c) As a condition precedent to making an award for surplus controlled substances, the following shall be submitted to the Drug Enforcement Administration, Department of Justice, Washington, DC 20537:

Subpart 101-45.5—Abandonment or Destruction of Surplus Property

Section 101-45.505 is amended as follows:

§ 101-45.505 Destruction of surplus drugs, biologicals, and reagents.

(b) When surplus drugs, biologicals, and reagents, including controlled substances, are required to be destroyed by the holding agency, they shall be destroyed in such a manner as to ensure total destruction of the substance to preclude the utilization of any portion thereof. The destruction shall be in accordance with Federal, State, and local air and water pollution control standards. When major amounts are to be destroyed, the action shall be coordinated with local air and water pollution control authorities. As to controlled substances, in addition to the requirements set forth herein, each executive agency shall comply with the provisions of 21 CFR 307.21 of the Drug Enforcement Administration

(DEA) regulations or with equivalent procedures approved by the DEA.

(c) Destruction of surplus drugs, biologicals, and reagents, including controlled substances, shall be performed by an employee of the holding agency in the presence of two additional employees of the agency as witnesses to that destruction unless in the case of controlled substances the Regional Director of DEA directs otherwise.

Subpart 101-45.6—Debarred and Suspended Bidders

Section 101-45.603 is revised to read as follows:

§ 101-45.603 Notices of debarment or suspension.

(a) Any notice of debarment instituted hereunder shall be consistent with the requirements of FPR 1-1.604-1, shall be in writing, and shall provide the affected party an opportunity for a hearing if he so requests within a 20-day period from the date of mailing. The written notice shall be sent by registered or certified mail, return receipt requested, to the last known address of the party. Where the notice is sent by registered or certified mail to the last known address of the party but actual or personal delivery is not effected by the U.S. Postal Service or by other means, a debarment may be imposed; but upon the submission of an appropriate application any such debarment shall be subject to reopening, and in such event a hearing shall be accorded in respect to the debarment.

(b) Any notice of suspension instituted hereunder shall be consistent with the requirements of FPR 1-1.605-3, shall be in writing, and shall be sent to the affected party by registered or certified mail, return receipt requested, to the last known address of the party in question. The suspension shall be effective upon the mailing of this notice. However, whether or not actual or personal delivery is accomplished by the U.S. Postal Service, the party in question may, at any time, submit information in opposition to such suspension and such information shall be duly considered.

PART 101-46—UTILIZATION AND DISPOSAL OF PERSONAL PROPERTY PURSUANT TO EXCHANGE/SALE AUTHORITY

Subpart 101-46.4—Disposal

Section 101-46.407 is revised to read as follows:

§ 101-46.407 Reports.

As soon as possible after the close of each fiscal year, but in no event later than 90 calendar days after that close, executive agencies shall submit a summary report in letter form on the transactions made pursuant to this part during the fiscal year except for transactions involving books and periodicals. Negative reports are required. Total acquisition cost for property exchanged and total

acquisition cost for property sold shall be furnished by two-digit Federal Supply Classification Groups. The above data shall be broken down to show transactions in two categories: (a) in the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands; and (b) in all other areas of the world. The summaries shall not include any property that was initially designated for exchange/sale but which was transferred for further Federal utilization. Reports shall be addressed to the General Services Administration (FW), Washington, D.C. 20406. Since the data required by this report reflects operating supply transactions, it is excluded from the interagency reporting requirements as set forth in Subpart 101-11.11 of this chapter.

NOTE: The form and instructions in §§ 101-43.4902-1, 101-43.4904, and 101-43.4904-1 are filed as part of the original document and do not appear in the FEDERAL REGISTER.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)).

Effective date. This regulation is effective on December 27, 1974.
Dated: December 19, 1974.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc. 74-30220 Filed 12-26-74; 8:45 am]

DEPARTMENT OF THE INTERIOR

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5461]

[A-026009, F-010114, F-010904, F-024731, F-030995, F-031030, F-034648]

ALASKA

Partial Revocation of Alaska Communications System Withdrawals; Partial Revocation of Pumping Station Site Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. Public Land Order No. 2425 of July 3, 1961, which withdrew lands for the Department of the Army for the Alaska Communications System, is hereby revoked as to the following described lands:

SEWARD MERIDIAN

SHEEP MOUNTAIN REPEATER SITE (A-026009)

T. 20 N., R. 10 E. (Partly unsurveyed)
Sec. 29, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, and those portions lying south of the centerline of the Glenn Highway of: $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}$, and $S\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$.
Sec. 32, $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$.
Containing approximately 287 acres.

2. Title to a portion of the lands described in Paragraph 1 has passed from

the United States by quitclaim deed (AA-6185) issued under the Alaska Communications Disposal Act of November 14, 1967 (81 Stat. 441-444). The remaining lands, as described below, are withdrawn under the provisions of Public Land Order No. 5418 of March 25, 1974, for classification and protection of the public interest:

T. 20 N., R. 10 E. (Partly unsurveyed)
Sec. 29, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, and those portions lying south of the centerline of the Glenn Highway of: $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$.
Sec. 32, $NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$.
Containing approximately 212 acres.

3. (a) Public Land Order No. 975 of June 18, 1954, so far as it reserved the following described lands for use of the Department of the Army for the Alaska Communications System, is hereby revoked:

TOK TOWNSHIP

TOK ACS SITE (F-010114)

Block 3E, lots 1 thru 8;
Block 4E, lots 1, 2, 3, 4, 11, 12, 13, shown as Federal Reserve on supplemental plat accepted October 16, 1961, of U.S. Survey No. 2931.
Containing approximately 3.08 acres.

(b) Public Land Order No. 1114 of April 7, 1955, which withdrew lands for use of the Department of the Army for the Alaska Communications System is hereby revoked in its entirety. The affected lands are described as follows:

TOK TOWNSHIP

TOK ACS SITE (E-010904)

Two tracts of land situated within Tok Township, U.S. Survey 2931, Alaska, more particularly described as follows:

Tract 1: Commencing at the northwest corner of Lot 8, Block 3E, Tok Township; thence N. 09°02' E., 80 feet across First Avenue East to the true point of beginning; thence continuing N. 09°02' E., 300 feet; thence S. 80°58' E., along the south line of Second Avenue East 200 feet; thence S. 09°02' W., along the west line of East First Street 300 feet; thence N. 80°58' W., along the north line of First Avenue East, 200 feet to the true point of beginning, containing approximately 1.38 acres.

Tract 2: Commencing at the northwest corner of Lot 13, Block 4E, Tok Township; thence N. 09°02' E., 80 feet across First Avenue East to the true point of beginning; thence S. 80°58' E., along the south line of thence S. 80°58' S., along the south line of Second Avenue East 400 feet; thence S. 09°02' W., along the west line of East Second Street 300 feet; thence N. 80°58' W., along the north line of First Avenue East 400 feet to the true point of beginning, containing approximately 2.75 acres.

(c) Public Land Order No. 2257 of January 19, 1961, which withdrew lands for use of the Department of the Army for an Alaska Communications System Repeater Station is hereby revoked in its entirety. The affected lands are described as follows:

DELTA JUNCTION ACS REPEATER STATION (F-024731)

Beginning at Corner No. 5, U.S. Survey No. 2770 at Delta Junction, in the Fourth Judicial Division, the true point of beginning for this description; thence, S. 31°24' W., 300 feet to a point on the centerline of the Alaska Highway; S. 58°36' E., 635.21 feet long said centerline to a point; N. 81°24' E., 625.60 feet; N. 15°07' W., 236.88 feet; S. 74°53' W., 673.33 feet through Corner No. 4 of U.S. Survey 2770 to Corner No. 5 of said survey and the point of beginning. Containing 8.57 acres.

These lands have since been surveyed and are now described as Lot 82 of sec. 23, T. 10 S., R. 10 E., Fairbanks Meridian.

(d) Executive Order No. 8577 of October 29, 1940, and Public Land Order No. 290 of July 25, 1945, which withdrew lands for the War Department as a radio station site are hereby revoked in their entirety. The lands withdrawn were originally described by metes and bounds but have since been surveyed and are now described as:

KOTZEBUE ACS SITE (F-030995)

U.S. Survey 2863A and B, Block 4, Lots 1 and 2.
Containing 2.58 acres.

(e) Public Land Order No. 916 of October 1, 1953, as amended by Public Land Order No. 1613 of April 7, 1958, which withdrew lands for the Department of the Army for the Alaska Communications System is hereby revoked as to the lands described below. The lands withdrawn were originally described by metes and bounds but have since been surveyed and are now described as:

HARDING LAKE ACS SITE (F-031030)

T. 6 S., R. 4 E., Fairbanks Meridian
Sec. 15, lots 17 and 19.

Containing 4.63 acres.

4. All of the lands described in Paragraph 3 have been conveyed to RCA by quitclaim deed of January 10, 1971 (F-13507), issued under the Alaska Communications Disposal Act of November 14, 1967 (81 Stat. 441-444).

5. Public Land Order No. 386 of July 31, 1947, as amended, withdrawing lands under the jurisdiction of the Secretary of War for right-of-way purposes for a telephone line and an oil pipeline with appurtenances, is hereby revoked so far as it affects the following described lands:

PUMPING STATION "K", CANOL PROJECT (F-034648)

A tract of land containing 60 acres, situated on the north side of the Alaska Highway, to include the pumping plant and accessories at Pumping Station "K", Canol Project, more particularly described as follows:

Beginning at a point on the centerline of the Alaska Highway opposite the pumphouse at Mile Station 1330.1, thence by metes and bounds:

S. 80°56' E., 15 chains;
N. 9°04' E., 20 chains;
N. 80°56' W., 30 chains;
S. 9°04' W., 20 chains;
S. 80°56' E., along centerline of the Alaska Highway.
Approximately 15 chains to point of beginning.

The lands described above have been declared to be "property" within the

meaning of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 377; 40 U.S.C. 472 (1970), and have been disposed of under that act and the regulations of the General Services Administration.

Dated: December 20, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior.
[FR Doc.74-30242 Filed 12-26-74; 8:45 am]

[Public Land Order 5459]

ALASKA

Amendment of Public Land Orders Nos. 5177, 5179, and 5180

By virtue of the authority vested in the Secretary of the Interior by sections 11(a) (3) and 22(h) (4) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, 714, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 5177 of March 9, 1972, as amended, which withdrew lands for selection under section 12

of the act by any eligible village corporations established under section 8 of the act requiring deficiency withdrawal and the regional corporation for the approximate area covered by the operations of the Kodiak Area Native Association, now known as Koniag, Incorporated, is hereby amended to delete the following described lands from paragraph 2 of that order and add them to paragraph 1 of said order:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 29 S., Rs. 45 and 46 W.
Ts. 30, 31, 32 S., R. 45 W.
Ts. 37, 38, 39 S., R. 50 W. (Fractional)
T. 41 S., R. 51 W. (Fractional)
T. 42 S., Rs. 49, 50, 51 W. (Fractional)
T. 44 S., Rs. 54 and 55 W. (Fractional)
T. 45 S., R. 54 W. (Fractional)

2. Public Land Order No. 5177 of March 9, 1972, as amended, is hereby further amended to add the following described lands to paragraph 1 of said order:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS (FRACTIONAL)

T. 37 S., Rs. 45 and 46 W.
T. 41 S., Rs. 50 and 55 W.

T. 42 S., Rs. 53, 54, and 55 W.
T. 43 S., Rs. 54 and 55 W.

3. Public Land Orders 5179 and 5180 of March 9, 1972, as amended, are hereby further amended to delete the lands described in paragraph 2 of this order.

4. The lands described in this order are hereby made subject to all the terms and conditions of Public Land Order No. 5177, and its amendments.

5. Prior to any conveyance of the lands described in this order the lands shall be subject to administration by the Secretary of the Interior under the applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this order. Applications for leases under the Mineral Leasing Act, as amended, 30 U.S.C. 181-287 (1970), will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

Dated: December 18, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior.
[FR Doc.74-30243 Filed 12-26-74; 8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

SICK PAY EXCLUSION

Notice of Proposed Rulemaking

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by January 27, 1975. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, a person submitting written comments should not include therein material that he considers to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by January 27, 1975. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) under sections 72, 101, and 105 of the Internal Revenue Code of 1954, pertaining to the definition of "retirement age," and to the application of section 72 to accident and health plans.

Under the existing regulations, disability annuitants are entitled to exclude some, or all, of their annuity payments as "sick pay" under section 105(d) of the Code, but only until reaching "initial retirement age." Payments received after initial retirement age are treated in accordance with the rules of section 72, pertaining to the taxation of annuities.

Because of adverse court decisions, the Internal Revenue Service announced, in Technical Information Release 1283, dated April 9, 1974, that taxpayers retired on disability can now apply the sick pay exclusion to their disability payments until mandatory retirement age.

Therefore, the purpose for this regulation is to formalize the Service's position as stated in TIR-1283, and to provide transitional rules pertaining to the application of section 72 to accident and health plans.

PROPOSED AMENDMENTS TO THE REGULATIONS

In view of the foregoing, the Income Tax Regulations (26 CFR Part 1) under sections 72, 101, and 105 of the Internal Revenue Code of 1954 are revised as follows:

Paragraph 1. Paragraph (b)(2) of § 1.72-4 is amended to read as follows:

§ 1.72-4 Exclusion ratio.

(b) *Annuity starting date.*
(2) Notwithstanding the provisions of paragraph (b)(1) of this section, the annuity starting date shall be determined in accordance with whichever of the following provisions is appropriate:

(i) In the case of a joint and survivor annuity contract described in section 72 (i) and paragraph (b)(3) of § 1.72-5, the annuity starting date is January 1, 1954, or the first day of the first period for which an amount is received as an annuity by the surviving annuitant, whichever is the later;

(ii) In the case of the transfer of an annuity contract for a valuable consideration, as described in section 72(g) and paragraph (a) of § 1.72-10, the annuity starting date shall be January 1, 1954, or the first day of the first period for which the transferee received an amount as an annuity, whichever is the later;

(iii) If the provisions of paragraph (e) of § 1.72-11 apply to an exchange of one contract for another, or to a transaction deemed to be such an exchange, the annuity starting date of the contract received (or deemed received) in exchange shall be January 1, 1954, or the first day of the first period for which an

amount is received as annuity under such contract, whichever is the later; and

(iv) In the case of an employee who has retired from work because of personal injuries or sickness, and who is receiving amounts under a plan that is a wage continuation plan under section 105 (d) and § 1.105-4, the annuity starting date shall be the date the employee reaches mandatory retirement age, as defined in § 1.105-4 (a) (3) (i) (B). (See, also §§ 1.72-15 and 1.105-6 for transitional and other special rules.)

However, where such an employee retired before January 27, 1975, and elected to apply section 72 to amounts received for periods before mandatory retirement age, as provided in § 1.72-15 (i), the annuity starting date shall be his retirement age as defined in § 1.79-2 (b) (3).

PAR. 2. Section 1.72-15 is amended by revising paragraphs (a) and (d), example (1) of paragraph (f), and by adding new paragraphs (i) and (j) to read as follows:

§ 1.72-15 Applicability of section 72 to accident or health plans.

(a) *Applicability of section.* This section provides the rules for determining the taxation of amounts received from an employer-established plan which provides for distributions that are taxable under section 72 (or for distributions that are taxable under section 402 (a) (2) or (e), or section 403(a)(2), in the case of certain total distributions) and which also provides for distributions that may be excludable from gross income under section 104 or 105 as accident or health benefits. See, however, paragraph (i) of this section with respect to the special election to apply section 72 to certain health or accident benefits. For example, this section will apply to a pension plan described in section 401 and exempt under section 501 which provides for the payment of pensions at retirement and the payment of an earlier pension in the event of permanent disability. This section will also apply to a profit-sharing plan described in section 401 and exempt under section 501 which provides for periodic distribution of the amount standing to the account of a participant during any period that the participant is absent from work due to a personal injury or sickness and for the distribution of any balance standing to the account of the participant upon his separation from service. For purposes of this section, the term "contributions of the employee" includes contributions by the employer which were includible in the employee's gross income. For special

rules relating to certain accident or health benefits which were treated as distributions to which section 72 applied, see paragraph (j) of this section.

(d) *Accident or health benefits attributable to employer contributions.* Any amounts received as accident or health benefits and not attributable to contributions of the employee are includible in gross income except to the extent that such amounts are excludable from gross income under section 105 (b), (c), or (d) and the regulations thereunder. Thus, such amounts may be excludable under section 105(d) as payments under a wage continuation plan. However, if such payments, when added to other such payments attributable to employer contributions, exceed the limitations of section 105(d), then the excess is includible in gross income under section 105(a). Such excess is not excludable under section 72. See, however, paragraph (i) with respect to the special election to apply section 72 to certain amounts received as accident or health benefits, and paragraph (j), for special rules relating to certain accident or health benefits which were treated as distributions to which section 72 applied.

(f) Examples

Example (1). A, an employee, is a participant in a contributory pension plan described in section 401(a) and exempt under section 501(a). Such plan provides for the payment of a pension to each participant when he retires at age 65 or when he retires earlier if the retirement is due to permanent and total disability. In 1964, A, who was age 52, became totally and permanently disabled because of an injury, was hospitalized, and commenced to receive a pension of \$74 a week under this plan. The weekly amounts received by A do not exceed 75 percent of his "regular weekly rate of wages" under section 105(d). A had contributed \$11,500 to the plan. The plan does not expressly provide that any portion of the disability pension is purchased with employee contributions. Accordingly, it is presumed that no portion of the disability pension is purchased with A's contributions. The disability pension which A receives qualifies as payments under a wage continuation plan for purposes of section 105(d) and § 1.105-4, and if such payments are the only accident or health benefits which are attributable to the contributions of his employer, such payments are entirely excludable under section 105(d) until A reaches age 65, his mandatory retirement age under the plan. The payments which A receives after he becomes age 65 are taxable under section 72. The payments which A receives do constitute an annuity as defined in paragraph (b) of § 1.72-2, but since the amounts which he will receive during the first three years after attaining age 65 exceed his contributions, he shall exclude under § 1.72-13 the entire amount of all payments that he receives as an annuity after attaining age 65 until such amounts equal his contributions to the plan, or \$11,500. Thereafter, the payments that he receives under the plan are includable in gross income.

(i) *Special election for employees retired before January 27, 1975.* (1) *Election to apply section 72.* Any employee who—

(i) Retired from work before January 27, 1975, because of personal injuries or sickness; and

(ii) Reached retirement age as defined in § 1.79-2(b)(3) (hereinafter referred to as "initial retirement age") before such date,

may elect to apply section 72 to amounts received after initial retirement age under an employer-established plan (as described in paragraph (a) of this section), even though such amounts constitute accident or health benefits to which section 105(d) would otherwise apply. The election provided for in this paragraph must be made with respect to all payments received after the employee's initial retirement age, or if assessment or collection of tax is prevented for such year by operation of any law or rule of law, then such election must be made for payments received in or after the first taxable year for which assessment or collection is not so prevented. However, elections which affect years after the first year for which the election is made and for which assessment or collection is so prevented, may be made only with the consent of, and subject to the conditions imposed by, the Commissioner. Further, where an employee has exercised the election provided for in this paragraph, the special rule of paragraph (j)(1) of this section, relating to the recomputation of the amount treated as the employee's investment in his annuity contract, shall not apply. An election made under this paragraph may be revoked only with the consent of the Commissioner.

(2) *Limitation.* If a taxpayer had claimed an exclusion after initial retirement age under section 105(d) for a taxable year for which assessment or collection of a deficiency is prevented by operation of any law or rule of law, such taxpayer may qualify for the election under this paragraph only if he agrees to the adjustments and conditions required by the Commissioner.

(3) *Manner of election.* The election provided for in paragraph (i)(1) of this section shall be made by the employee or his representative by attaching a statement to that effect to a return, or amended return, made for the taxable year in which the employee reached initial retirement age, or, if assessment or collection of tax is prevented for such year by operation of any law or rule of law, then such election shall be made by attaching such statement to the return, or amended return, for the first taxable year for which assessment or collection is not so prevented. In lieu of the procedures provided in this paragraph (i)(3) the Commissioner may prescribe a form and instructions for making the election.

(4) *Time for election.* The election provided for in paragraph (i)(1) of this section must be made within one year from [the date on which final regulations are filed by the Office of the Federal Register].

(5) *Example.* The provisions of this paragraph may be illustrated by the following example:

Example. On January 1, 1972, A, a calendar year taxpayer, retires at age 60, his initial retirement age, and receives an annuity to

which (but for this paragraph) section 105(d) applies. A's mandatory retirement age is 65. A elects to apply section 72(d) as provided in this paragraph. Therefore, for 1972 and all subsequent years no amount received under the disability annuity may be excluded under section 105(d).

(j) *Special rules.* (1) *Amounts received as accident or health benefits in years closed to refund claims by law or rule of law.* Except where the election provided under paragraph (i) of this section has been exercised, an employee who—

(i) Retired from work because of personal injuries or sickness, and has reached initial retirement age, within the meaning of paragraph (i)(1) of this section, before January 27, 1975; and

(ii) Received amounts to which this section applies in years for which the allowance of a credit or refund of an overpayment of tax is prevented by operation of any law or rule of law,

shall determine the investment in, the consideration for, or the basis of the contract of such employee (hereinafter referred to in paragraph (j)(1) of this section as investment in the contract) in accordance with the rules of this paragraph. For years referred to in paragraph (j)(1)(i) of this section, in determining the amount by which such investment in the contract shall be decreased, such investment shall not be decreased by amounts to the extent such amounts could have been excluded under section 105(d) (subject to the limitations contained in such provision). Therefore, such investment in the contract shall be decreased only by the excess of the amount excluded under section 72 for such years over the amount which could have been excluded under section 105(d). For example, in the case of an individual who was retired from work on account of injury or sickness for a full taxable year, if the amount excluded under section 72 was less than \$5,200, the entire amount could have been excluded under section 105(d). On the other hand, if the amount excluded under section 72 was equal to or greater than \$5,200 for a full taxable year, then \$5,200 could have been excluded under section 105(d).

(2) *Surviving annuitants and beneficiaries.* (i) The rights of a surviving annuitant or beneficiary, with respect to the application of the rules of section 72, shall be based on the employee's investment in his annuity contract, as adjusted in accordance with the provisions of this paragraph. Thus, where an employee dies after having recomputed his investment as provided in paragraph (j)(1) of this section, and his contract provided a survivorship element, the survivor would assume the employee's recomputed investment for purposes of determining excludability of amounts under section 72.

(ii) Where a surviving annuitant or beneficiary failed to increase the amount treated as an employee's contribution toward his annuity contract to reflect the employee death benefit under section 101(b) and § 1.72-8(b), because the employee had treated his initial retirement

age (within the meaning of paragraph (1) of this section) as his annuity starting date, such surviving annuitant or beneficiary may apply section 101 (b) as if the appropriate addition to basis had been made in the year of the employee's death. For purposes of this paragraph, the amount treated as the section 101(b) death benefit would be valued as of the date of the employee's death.

(3) *Cross references.* (i) See section 72 (b) (4) and § 1.72-4(b) with respect to annuity starting dates.

(ii) See §§ 1.72-8(b) and 1.101-2(a) (2) with respect to treating certain amounts received by an estate or beneficiary as employee death benefits.

(iii) See § 1.105-4(a) (3) (i) (B) for the definition of "mandatory retirement age."

(iv) See § 1.105-6 with respect to the application of section 105(b) to certain amounts received as retirement annuities before January 27, 1975, where the employee would otherwise have been eligible for benefits to which section 105(d) applies.

(4) The provisions of this section may be illustrated by the following examples. In such examples assume that the plan does not expressly provide that any portion of the disability pension is purchased with employee contributions. Accordingly, it is presumed that no portion of the disability pension is purchased with employee contributions. Also, assume that in each case the taxpayer retired only after he had been absent from work for at least 30 days on account of personal injuries or sickness:

Example (1). A, a calendar year taxpayer, retired because of disability on January 1, 1968, his 58th birthday, receiving \$80 per week (\$4,160 per year) under a plan which qualifies as a wage continuation plan under section 105(d) and § 1.105-4. Under the plan, A's initial retirement age is age 60 (January 1, 1970), and his mandatory retirement age is 65 (January 1, 1975). A's consideration for the contract was \$10,000. For payments received in 1968 and 1969 A excluded the entire amount under section 105(d). Payments received with respect to periods after A's initial retirement age (January 1, 1970) were excluded under section 72(d) until his entire \$10,000 consideration for his contract had been excluded. Thus, A applied section 72(d) to exclude \$4,160 each year for taxable years 1970 and 1971, and \$1,680 (\$10,000 - (\$4,160 + \$4,160)) for 1972. In late 1974 A realized that he was entitled to treat the full amount received under his annuity as excludable under section 105(d) rather than section 72 for the taxable years 1970 through 1974. Consequently, A filed amended returns for 1972 and 1973 excluding an additional \$2,480 (\$4,160 - \$1,680) and \$4,160, respectively, claiming refunds based upon such additional exclusions. Moreover, A's annuity starting date is January 1, 1975 (A's mandatory retirement age), and he excludes under section 72(d) for 1975, 1976, and 1977, \$4,160, \$4,160 and \$1,680 (\$10,000 - (\$4,160 + \$4,160)), respectively.

Example (2). B, a calendar year taxpayer retired because of disability, July 1, 1970, on his 58th birthday, receiving \$1,000 per month under a plan which qualifies as a wage continuation plan for purposes of section 105(d) and § 1.105-4. Under the plan, B's initial retirement age is age 60 (July 1, 1972), and his mandatory retirement age is 65 (July 1,

1977). B's consideration for the contract was \$25,000. For payments received in 1970 and 1971 B excluded under section 105(d) \$2,600 and \$5,200, respectively, from the \$6,000 (6 x \$1,000) and \$12,000 (12 x \$1,000) of the payments received under the plan. For the period January 1, 1972 through June 30, 1972, B excluded an additional \$2,600 under section 105(d). For the period July 1, 1972 through December 31, 1972 B excluded under section 72(d) (1) the entire \$6,000 in payments received under the plan. Similarly, B excluded under section 72(d) (1), the entire \$12,000 in payments received under the plan in 1973. In 1974, B realized that he was entitled to take full advantage of the exclusion under section 105(d) for periods through June 30, 1977, when he would reach age 65. B filed amended returns for his 1972 and 1973 taxable years, recomputing his income without regard to section 72 and instead taking into account the exclusion under section 105(d). Thus, B restored to income the \$6,000 he had previously excluded under section 72 (d) (1) for 1972, and instead excluded an additional \$2,600 (\$5,200 - \$2,600) under section 105(d). Similarly, he restored to income the \$12,000 he had previously excluded under section 72(d) (1) for 1973, and instead excluded \$5,200. As a result, B's gross income was increased by a net amount of \$3,400 (\$6,000 - \$2,600) for 1972 and by a net amount of \$6,800 (\$12,000 - \$5,200) for 1973. B may continue to exclude under section 105(d) amounts he receives under the plan for periods prior to July 1, 1977. Thereafter, B would treat amounts received under the plan in accordance with the principles of section 72. Thus, July 1, 1977, would be his annuity starting date, and \$25,000 would be his consideration for the contract.

Example (3). Assume the same facts as in example (2) except that B's investment in his annuity contract is \$37,000, and that he is entitled to exclude under section 72(b) (without regard to this section) 16.9 percent or \$2,028 of the \$12,000 payments received per year. Thus, for the period July 1, 1972 through December 31, 1972, B had excluded under section 72(b) \$1,014 (16.9 percent of \$6,000), and for 1973, B excluded under section 72(b) \$2,028. B files amended returns for 1972 and 1973 claiming the exclusion under section 105(d) for the entire period for both years. Thus, B restored to income \$1,014 for 1972 and \$2,028 for 1973, and claimed an additional \$2,600 (\$5,200 - \$2,600) exclusion under section 105(d) for 1972 and a \$5,200 exclusion for 1973. Thus, for 1972 B is entitled to a net exclusion of \$1,586 (\$2,600 - \$1,014), and for 1973 a net exclusion of \$3,172 (\$5,200 - \$2,028). On July 1, 1977, B's investment in the contract is \$37,000.

Example (4). C, a calendar year taxpayer, retired because of disability on January 1, 1965, on his 58th birthday receiving payments of \$500 per month under a plan which qualifies as a wage continuation plan for purposes of section 105(d) and § 1.105-4. C had contributed \$18,000 toward the cost of his annuity contract. Under the plan, C's initial retirement age is age 60 (January 1, 1967) and C's mandatory retirement age is age 70 (January 1, 1977). For taxable years 1965 and 1966 C excluded from gross income under section 105(d) \$5,200 of the \$6,000 (12 x \$500) he received from his employer as wage continuation benefits. On January 1, 1967, C began excluding all of the benefits C received in accordance with the rules of section 72(d). Thus, for 1967, 1968 and 1969, C excluded 100 percent of the annuity payments. For his taxable years 1970 through 1973, C included in his gross income all annuity payments. In 1974, C realized that he was entitled to use the exclusion under section 105(d) through December 31, 1976 (until he reached age 70). In 1974, C filed a timely claim for refund for his taxable years 1971,

1972 and 1973 (refunds for taxable year 1970 and prior years were barred by the statute of limitations), and continues to claim the exclusion under section 105(d) for 1974, 1975 and 1976. For 1977, C treats January 1, 1977 as the annuity starting date, and treats \$15,600 as the investment in the contract. The \$15,600 represents the \$18,000 original investment in the contract reduced by the excess, \$2,400, of the amount excluded under section 72 for 1967, 1968 and 1969 (\$18,000) over the amount excludable under section 105(d) (\$5,200 x 3) for such years.

Example (5). (i) D, a calendar year taxpayer retired because of disability, June 30, 1965, receiving \$100 per month under a plan which qualifies as a wage continuation plan for purposes of section 105 (d) and § 1.105-4. Under the plan, the initial retirement age of D, whose birthday is January 1, is age 60 (January 1, 1967), and D's mandatory retirement age is age 70 (January 1, 1977). D has contributed \$6,000 toward the cost of the annuity contract under such plan. For 1965 and 1966, D excludes under section 105 (d) the entire amount received under the plan (\$600 and \$1,200 respectively). For 1967, assume that D is entitled to exclude under section 72 (b) (without regard to this section) 27.5 percent, or \$330 of the \$1,200 payments under the plan per year. For 1967 through 1973, D excludes \$330 per year under section 72 (b).

(ii) In 1974, D realized that he was entitled to use the exclusion provided in section 105 (d) up until January 1, 1977 when he reaches his mandatory retirement age and that he improperly applied section 72 to payments received in the years 1967 through 1973. In 1974, D filed a timely claim for refund with respect to the section 105 (d) wage continuation benefits, for 1971, 1972 and 1973 (refunds for taxable year 1970 and prior years were barred by the statute of limitations), and continues to claim the section 105 (d) exclusion for 1974, 1975 and 1976. D is entitled to a net exclusion of \$870 (\$1,200 - \$330) for each of the years 1971, 1972 and 1973.

(iii) Upon reaching mandatory retirement age on January 1, 1977, D treats such date as the annuity starting date, and treats \$6,000 as the investment in the contract. The investment in the contract is not reduced, because the amount excluded under section 72(b) for 1967 through 1970 (\$330 per year) does not exceed the amount excludable under section 105(d) (\$1,200 per year), and the \$330 per year excluded for 1971, 1972, and 1973 were restored to the investment in the contract. Therefore, assuming that D would be entitled to exclude 41.3 percent of the payments under the plan if the annuity starting date is January 1, 1977, D would be entitled to exclude \$495.60 (41.3 percent of \$1,200) per annum.

Example (6). Assume the facts stated in example (5) except that D's investment in his annuity contract is \$100,000 and he received payments equaling \$10,000 per year, and assume that D is entitled to exclude under section 72(b) (without regard to this section) 54.9 percent of the payments under the plan. Consequently, he excluded \$5,490 (54.9 percent of \$10,000) from his gross income for the years 1967 through 1973. In D's amended returns for 1971, 1972 and 1973, D restores \$5,490 per year to the investment in the contract and excludes under section 105(d), \$5,200, which represents a net increase in gross income of \$290 (\$5,490 - \$5,200). D excludes \$5,200 per year under section 105(d) for 1974, 1975 and 1976. As of January 1, 1977, the annuity starting date, D treats \$98,840 as his investment in the contract for purposes of section 72(b). The \$98,840 represents the original investment of \$100,000 reduced by the excess (\$1,160) of the amount excluded under section 72 for

1967, 1968, 1969 and 1970 (\$5,490×4=\$21,960) over the amount excludable under section 105(d) (\$5,200×4=\$20,800). Therefore, assuming that D would be entitled to exclude 81.7 percent of the payments under the plan if the annuity starting date is January 1, 1977, D would be entitled to exclude \$8,170 (81.7 percent of \$10,000) per annum.

Example (7). Assume the same facts as in example (6) except that D's mandatory retirement age is 63 (January 1, 1970). D would determine his exclusion ratio for purposes of section 72(b) as of January 1, 1970, since D's mandatory retirement age is D's annuity starting date. D would treat \$99,130 as his investment in his annuity contract as of such date for purposes of section 72(b). Assuming refunds for 1970 and prior taxable years were barred by the statute of limitations, the \$99,130 represents the original investment of \$100,000 reduced by the excess of the amount excluded under section 72(b) for 1967, 1968, and 1969 (\$5,490×3=\$16,470) over the amount otherwise excludable during those years under section 105(d) \$5,200×3=\$15,600). Therefore, assuming that D would be entitled to exclude 61.2 of the payments received under the plan if the annuity starting date is January 1, 1970, D would be entitled to exclude \$6,120 (61.2 percent of the \$10,000 received under the plans) per annum for 1971 and subsequent years. However, D is not entitled to exclude the additional \$630 (\$6,120-\$5,490) for 1970 because credit or refund for 1970 and prior years is barred by the statute of limitations.

PAR. 3. Paragraph (a) (2) of § 1.101-2 is amended to read as follows:

§ 1.101-2 Employees' death benefits.

(a) *In general.* . . .

(2) The exclusion does not apply to amounts constituting income payable to the employee during his life as compensation for his services, such as bonuses or payments for unused leave or uncollected salary, nor to certain other amounts with respect to which the deceased employee possessed, immediately before his death, a nonforfeitable right to receive the amounts while living (see section 101(b) (2) (B) and paragraph (d) of this section). Further, the exclusion does not apply to amounts received as an annuity under a joint and survivor annuity obligation where the employee was the primary annuitant and the annuity starting date occurred before the death of the employee (see section 101(b) (2) (C) and paragraph (e) (1) (ii) of this section). In the case of amounts received by a beneficiary as an annuity (but not as a survivor under a joint and survivor annuity with respect to which the employee was the primary annuitant), the exclusion is applied indirectly by means of the provisions of section 72 and the regulations thereunder (see section 101 (b) (2) (D) and paragraph (e) (1) (iii) and (iv) of this section). Thus, for example, the exclusion applies to amounts which are received by a survivor of an employee retired on disability under the provisions of the Civil Service retirement law (5 U.S.C. 8301 or any former corresponding provisions of law) or the Retired Serviceman's Family Protection Plan or Survivor Benefit Plan (10 U.S.C. 1431 et seq.), provided such employee dies before attaining mandatory retire-

ment age (as defined in § 1.105-4(a) (3) (i) (B)).

PAR. 4. Paragraph (a) (2) (i) and (a) (3) (i) of § 1.105-4 is amended to read as follows:

§ 1.105-4 Wage continuation plans.

(a) *In general.* . . .

(2) (i) Section 205 (d) is applicable only if the wages or payments in lieu of wages are paid pursuant to a wage continuation plan. (See, however, § 1.105-6 for special rules for employees retired before January 27, 1975.) The term "wage continuation plan" means an accident or health plan, as defined in § 1.105-5, under which wages, or payments in lieu of wages, are paid to an employee for a period during which he is absent from work on account of a personal injury or sickness. Such term includes plans under which payments are continued as long as the employee is absent from work on account of personal injury or sickness. It includes plans under which there is a limitation on the period for which benefits will be paid, such as 13 or 26 weeks, and also plans under which benefits are continued until the employee is either able to return to work or reaches mandatory retirement age. Such term also includes a plan under which wages or payments in lieu of wages are paid to an employee who is absent from work on account of personal injury or sickness, even though the plan also provides that wages or payments in lieu of wages may be paid to an employee who is absent from work for reasons other than a personal injury or sickness.

(3) (i) (A) Section 105(d) applies only to amounts attributable to periods during which the employee would be at work were it not for a personal injury or sickness. Thus, an employee is not absent from work if he is not expected to work because, for example, he has reached mandatory retirement age. If a plan provides that an employee, who is absent from work on account of a personal injury or sickness, will receive a disability pension or annuity as long as he is disabled, section 105(d) is applicable to any payments that he receives under this plan before reaching mandatory retirement age, as defined in paragraph (a) (3) (i) (B) of this section. Thus, section 105(d) would not apply to the payments that an employee receives after reaching mandatory retirement age. The disability retired pay received by a member on the retired list pursuant to section 402 of the Career Compensation Act of 1949 (63 Stat. 802) or chapter 61 of title 10, United States Code (10 U.S.C. 1201 et seq.) which is in excess of the amounts excludable under section 104(a) (4) and paragraph (e) of § 1.104-1 shall be excluded from gross income subject to the limitations of section 105(d) and this section, if such pay is received before the member reaches mandatory retirement age. See § 1.72-15 for additional rules relating to the tax treatment of disability pensions.

For the rules relating to certain reduced uniformed services retirement pay, see paragraph (c) (2) of § 1.122-1. For rules relating to a waiver by a member or former member of the uniformed services of a portion of disability retired pay in favor of a pension or compensation receivable under the laws administered by the Veterans Administration (38 U.S.C. 3105), see § 1.122-1(c) (3).

(B) The term "mandatory retirement age" as used in paragraph (a) (3) (i) (A) of this section means the age set by an employer for the mandatory retirement of employees in the class to which the taxpayer last belonged. Where no age is set for mandatory retirement, such term means age 65, or the age at which it has been the practice of the employer to terminate due to age, the services of the class of employees to which the taxpayer last belonged.

PAR. 5. The following section is added immediately after § 1.105-5 to read as follows:

§ 1.105-6 Special rules for employees retired before January 27, 1975.

(a) *Application of section 105 (d) to amounts received as retirement annuities.* An employee who retired from work before January 27, 1975, receiving payments under his employer-established plan (to which § 1.72-15 (a) applies) which payments were not treated as amounts received under a wage continuation plan for purposes of section 105(d), may, as of the date the employee retired, treat such plan as such a wage continuation plan to the extent such payments are received prior to mandatory retirement age (as described in § 1.105-4 (a) (3) (i) (B)), if—

(1) His employer had in operation at the time of his retirement a program providing accident and health benefits under a wage continuation plan to which section 105(d) would apply;

(2) The employer certifies, under procedures approved in advance under paragraph (c) of this section, that the employee would have been eligible for wage continuation benefits, under the terms and conditions of his employer's plan, because of personal injuries or sickness;

(3) At the time of the employee's retirement there was no substantive difference between the benefits being actually received and the benefits he would have received had he retired under his employer's wage continuation plan; and

(4) The employee agrees to the adjustments and conditions required by the Commissioner with respect to amounts excluded under section 72(b) or (d) in taxable years for which assessment or collection of a deficiency is prevented by law or rule of law.

(b) *Filing requirements.* (1) The certification required in paragraph (a) (2) and the agreement required in paragraph (a) (4) of this section shall be filed with the return, or amended return, made for the taxable year in which the employee reached initial retirement age, or, if assessment or collection of tax, or the filing of a claim for refund, is pre-

vented by operation of law or any rule of law, then for the first taxable year for which assessment of tax or claim for refund is not so prevented.

(2) The Commissioner may prescribe a form and instructions with respect to the agreement provided for in paragraph (a) (4) of this section.

(c) *Employer certification.* (1) *Advance approval of procedures.* Any reasonable and consistently applied procedures, approved in advance by the Internal Revenue Service, which require the employee to provide the employer or the insurer with medical documentation sufficient to show that an illness or disability existed as of the date of the employee's retirement, which would have entitled him to retire on account of personal injuries or sickness alone, are sufficient for purposes of this paragraph.

(2) *Place of submission.* Requests for advance approval of procedures for certification shall be submitted to the district director.

[FR Doc.74-30286 Filed 12-26-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 28]

DUNGENESS NATIONAL WILDLIFE REFUGE; WASH.

Public Access, Use, and Recreation; Correction

In FR Doc. 74-29393 appearing on page 43728 in the issue of Wednesday, December 18, 1974, an error was printed in the first sentence of paragraph 3. The sentence read as follows:

An evaluation of public use on the refuge has led to a recommendation that horses be permitted on the trail at all times and that horses be prohibited on the Spit during the principal public use season.

It was not the intent of this proposed rule to mean permitted; rather, the word should have been prohibited.

Accordingly, the first sentence of the third paragraph is corrected to read as follows:

An evaluation of public use on the refuge has led to a recommendation that horses be prohibited on the trail at all times and that horses be prohibited on the Spit during the principal public use season.

M. A. MARSTON,

Acting Director,

U.S. Fish and Wildlife Service.

[FR Doc.74-30177 Filed 12-26-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

GRAIN STANDARDS

Miscellaneous Amendments; Supplemental Notice of Proposed Rulemaking

On December 4, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 42226) to amend certain sections of the regulations under the U.S. Grain Standards Act (7 U.S.C. 71 et seq.).

Notice is hereby given, in accordance with the administrative procedure provisions in 5 U.S.C. 553, and pursuant to the authority contained in the Act, that the said notice is hereby amended and supplemented with respect to certain provisions proposed for sections 26.14 and 26.15 of the regulations (7 CFR 26.14 and 26.15) in the above-mentioned notice of rulemaking published December 4, 1974, as hereinafter set out.

Statement of considerations. The proposed definition of "uniform in quality" in § 26.14(b) (4) of the proposal should be changed to reflect that the weighted average of the grain in the lot is not inferior to the load order grade. The wording in certain provisions of § 26.15, which provided for the inspection of grain in combined lots, inadvertently provided that the grain in each car, truck, barge, and each shipload must conform to the load order grade. The wording of the section should have provided that no "material portion" of the grain in the combined lot could be of a grade inferior to the load order grade. A proposed definition of the term "material portion" has been added to section 26.15.

Accordingly, certain paragraphs proposed for §§ 26.14 and 26.15 in the notice of rulemaking published December 4, 1974 (39 FR 42226) are amended to read as follows:

1. In § 26.14, paragraph (b) (4) is revised to read as follows:

§ 26.14 Inspection of grain in ships.

(b) * * *

(4) The term "uniform in quality" shall mean that the weighted average of the grain in the lot is not inferior to the load order grade, and that no material portion in the lot is of a grade or equivalent of a grade inferior to the load order grade.

2. In section 26.15, paragraphs (b) (1), (c) (7), (d) (3), (e) (1) and (e) (2) are revised and (b) (4) is added to read as follows:

§ 26.15 Inspection and certification of grain in combined lots.

(b) * * *

(1) The term "uniform in quality" shall mean that the weighted average of the grain in the combined lot is not inferior to the load order grade, and that no material portion in the lot is of a grade or equivalent of a grade inferior to the load order grade.

(4) The term "material portion" shall mean a portion which is considered significant under a sampling plan prescribed in the instructions on the basis of approved statistical principles after consultation with the users of the service: *Provided*, That if the applicant has been informed by official inspection personnel or otherwise knows the quality of the grain prior to loading the grain on a ship, any portion of "off-grade" grain which is of an inferior grade in compar-

ison with the load order grade shall be deemed to be a material portion.

(c) * * *

(7) The grain in the combined lots is found to be uniform in quality.

(d) * * *

(3) The grain in the combined lots was found to be uniform in quality.

(e) * * *

(1) *Grain not uniform in quality.* If the grain in the combined lot is found to be not uniform in quality, the grain in each portion shall be sampled, inspected, graded, and certificated as a separate lot.

(2) *Grain uniform in quality.* If the grain in the combined lot is found to be uniform in quality, an official certificate shall be issued.

Opportunity is hereby afforded all interested parties to submit written data, views, or arguments with respect to the proposed amendments of the regulations published December 4, 1974, as herein amended, to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250. The time period for receiving written submissions on the proposal published on December 4, 1974, and as herein amended, is hereby extended to February 3, 1975. All written submissions on this said proposal, as herein amended, should be in duplicate and should be filed with the Hearing Clerk not later than February 3, 1975. All submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Consideration will be given to the written data, views, or arguments received by the Hearing Clerk and to other information available to the U.S. Department of Agriculture before final determination is made with respect to this proposal.

Done in Washington, D.C. on: December 20, 1974.

JOHN C. BLUM,
Acting Administrator.

[FR Doc.74-30184 Filed 12-26-74;8:45 am]

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Notice of Proposed Rule Making With Respect to an Increase in Expenses for the 1974-75 Fiscal Period

This notice invites written comments relative to a proposed increase of \$15,431 in the Control Committee expenses during the 1974-75 fiscal period (March 1, 1974, through February 28, 1975) under Marketing Order No. 917. Said increase would change the seasonal committee budget from \$809,827 to \$825,258 with no change in the related rate of assessment on handlers of the regulated fruits.

Consideration is being given to the following proposal submitted by the Con-

trol Committee, established under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

That the Secretary find that provisions pertaining to the committee expenses in paragraph (a) of § 917.212 *Expenses and rate of assessment* (39 FR 28277 and 30477) be revised to read as follows:

§ 917.212 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1974, through February 28, 1975, will amount to \$825,258.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than January 17, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: December 20, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-30185 Filed 12-26-74; 8:45 am]

[7 CFR Part 1033]

[Docket No. AO 168-A46]

MILK IN THE OHIO VALLEY MARKETING AREA

Notice of Extension of Time for Filing Briefs

Notice is hereby given that the time for filing briefs, proposed findings and conclusions on the record of the public hearing held November 7-8, 1974, at Columbus, Ohio, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Ohio Valley marketing area pursuant to notice issued October 16, 1974 (39 FR 37502) is hereby extended to January 2, 1975.

This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C., on: December 20, 1974.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.74-30183 Filed 12-26-74; 8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Notice of Extension of Time to Submit Written Data, Views, or Arguments

Notice is hereby given in accordance with the provisions contained in section 553 of title 5, United States Code, that the time for filing data, views, and arguments with respect to the proposed amendments to the regulations relating to viruses, serums, toxins, and analogous products in 9 CFR Part 113, as published in the FEDERAL REGISTER on October 22, 1974 (39 FR 37503) is extended to April 1, 1975 (37 Stat. 832-833; 21 U.S.C. 151-158).

Because of the newness of the requirements contained in the proposal, unexpected variations in the test results have occurred and additional time has been requested by industry to conduct more of the tests before making their comments.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 828-A, Federal Building, Hyattsville, Maryland 20782. All comments received on or before April 1, 1975, shall be considered.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business. (7 CFR 1.27(b)).

Done at Washington, D.C., this 20th day of December 1974.

J. M. HEJL,
Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.74-30189 Filed 12-26-74; 8:45 am]

Office of the Secretary

[7 CFR Part 20]

[Amdt. 2]

EXPORT SALES REPORTING REGULATIONS

Notice of Proposed Rulemaking

The Export Sales Reporting Regulations issued pursuant to section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (38 FR 28055, 39 FR 18630), require exporters to report information with respect to contracts for export sales of certain agricultural commodities.

Notice is hereby given that the Administrator, Foreign Agricultural Service, proposes to amend §§ 20.4(h) and 20.4(m) of these regulations to require that only transactions which include a firm price are to be reported. Transactions, which contain an agreed upon mechanism by which a firm price can be

established would not be reportable until a fixed price has been determined. The Administrator further proposes to amend § 20.6(e) to provide for reporting only an ultimate country of destination and then only if such destination is definitely known to the reporting exporter. Intermediate destinations would no longer be reportable. Under this proposal the first report submitted after the effective date of this amendment would reflect adjustments in outstanding export sales in accordance with the proposed changes in these regulations. It is felt these proposals would improve the quality of data available to FAS.

Inquiries may be addressed, and data, views and arguments concerning the proposed amendment may be submitted to the Director, Export Sales Division, Rm. 4506, South Agriculture Building, 14th and Independence Avenue, SW, Washington, D.C. 20250. All material received on or before January 27, 1975, will be available for public inspection during normal business hours at the foregoing address.

It is therefore proposed to amend §§ 20.4(h), 20.4(m) and 20.6(e) in the manner set forth below.

Dated: December 23, 1974.

RICHARD J. BRODNER,
Acting Administrator
Foreign Agricultural Service.

Sections 20.4 (h) and (m) and 20.6(e) are revised to read as follows:

§ 20.4 Definitions.

(h) *Export sale.* A transaction entered into between a reporting exporter and a foreign buyer. The transaction must represent a written agreement under which (1) the exporter agrees to export the commodity, (2) the foreign buyer agrees to receive the commodity, (3) there is a fixed price, and (4) payment will be made to or for the account of the reporting exporter by or on the behalf of the foreign buyer for delivery of the commodity. The quantity of "outstanding export sale" means the quantity not yet exported under an export sale. A transaction containing an agreed upon mechanism by which a price can be established shall not be reported until a fixed price is determined. A transaction which becomes operative only upon the imposition of export controls is excluded from this definition of "export sale" and such transactions shall not be reported under these regulations.

(m) *Purchases from foreign sellers.*

The purchase of a commodity from a seller whose place of business with respect to the transaction is outside the United States when the terms of the contract provide that the commodity to be delivered under the contract will be exported from the United States or where the seller has the option of exporting the commodity from the United States or from one or more other exporting countries. Such contracts which contain an agreed upon mechanism by which a price can be established shall not

be reported until a fixed price is determined.

§ 20.6 Submission of reports.

(e) *Reporting of destinations.* If the country of destination is not definitely known to the reporting exporter at the time of filing a report, he shall report the destination as unknown.

[FR Doc.74-30262 Filed 12-26-74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

STANDARD FOR OCCUPATIONAL EXPOSURE TO AMMONIA

Advance Notice of Proposed Rulemaking

The National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health, Education, and Welfare has submitted to the Secretary of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, criteria for a recommended standard on the occupational exposure to ammonia. The office of Standards Development, Occupational Safety and Health Administration, U.S. Department of Labor is studying the criteria and would appreciate public participation on the issues of whether a new standard for ammonia should be issued on the basis of the criteria or any other information, and, if so, what should be the contents of a proposed standard for ammonia. The issues are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views, and arguments concerning a standard on occupational exposure to ammonia. Comments are specifically requested concerning:

- (1) Whether a new standard on occupational exposure to ammonia should be issued;
 - (2) Each section of the standard recommended by NIOSH;
 - (3) Suitable alternatives to the recommendations of NIOSH;
 - (4) Work injury and illness experience with ammonia;
 - (5) Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;
 - (6) Supported data on any possible environmental impact of the recommended standard, and specifically (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and
 - (7) Any other related issues.
- Communications should be submitted to the Docket Officer, Occupational

Safety and Health Administration, U.S. Department of Labor, Room 260, 1726 M Street, NW., Washington, D.C. 20210. The communications will be available for public inspection and copying at the above location.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to ammonia will be available for inspection and copying, upon request, at any of the following addresses:

NATIONAL OFFICE

U.S. Department of Labor
Occupational Safety & Health Administration
Technical Data Center
Room 260
1726 M Street, N.W.
Washington, D.C. 20210

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety & Health Administration
Fifth Floor
18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety & Health Administration
1515 Broadway (1 Astor Plaza)
New York, New York 10036

U.S. Department of Labor
Occupational Safety & Health Administration
15220 Gateway Center
3535 Market Street
Philadelphia, Pennsylvania 19104

U.S. Department of Labor
Occupational Safety & Health Administration
1375 Peachtree Street, N.E.—Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety & Health Administration
300 South Wacker Drive—Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety & Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety & Health Administration
911 Walnut Street
Room 3000
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety & Health Administration
Federal Building—Room 115010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety & Health Administration
9470 Federal Building
450 Golden Gate Avenue
Post Office Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety & Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

U.S. Department of Labor
Occupational Safety and Health Administration

Custom House Building
State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 425
55 Pleasant Street
Concord, New Hampshire 03301

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 617
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health Administration

U.S. Post Office and Courthouse Building
436 Dwight Street
Room 504

Springfield, Massachusetts 01103
U.S. Department of Labor
Occupational Safety and Health Administration

90 Church Street—Room 1405
New York, New York 10007

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Office Building
970 Broad Street—Room 1435C
Newark, New Jersey 07102

U.S. Department of Labor
Occupational Safety and Health Administration

Room 203—Midtown Plaza
700 East Water Street
Syracuse, New York 13210

U.S. Department of Labor
Occupational Safety and Health Administration

370 Old Country Road
Garden City, Long Island, New York 11530

U.S. Department of Labor
Occupational Safety and Health Administration

Condominium San Alberto Building
605 Condado Avenue—Room 328
Sanjurjo, Puerto Rico 00970

U.S. Department of Labor
Occupational Safety and Health Administration

William J. Green, Jr. Federal Building
600 Arch Street
Philadelphia, Pennsylvania 19106

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 1110-A
31 Hopkins Plaza—Charles Center
Baltimore, Maryland 21201

U.S. Department of Labor
Occupational Safety and Health Administration

Charleston National Plaza—Suite 1726
700 Virginia Street
Charleston, West Virginia 25301

U.S. Department of Labor
Occupational Safety and Health Administration

Room 802, Jonnet Building
4099 William Penn Highway
Monroeville, Pennsylvania 15146

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 8081
400 N. 8th Street, P.O. Box 10186
Richmond, Virginia 23240

U.S. Department of Labor
Occupational Safety and Health Administration

Building 10—Suite 33
La Vista Perimeter Park
Tucker, Georgia 30084

U.S. Department of Labor
Occupational Safety and Health Administration

Federal Office Building—Room 613A
310 New Bern Avenue
Raleigh, North Carolina 27601

PROPOSED RULES

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 204—Bridge Building
3200 E. Oakland Park Boulevard
Fort Lauderdale, Florida 33308

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
1600 Hayes Street—Suite 302
Nashville, Tennessee 37203

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
2809 Art Museum Drive—Suite 4
Art Museum Plaza
Jacksonville, Florida 32207

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Todd Mall, 2047 Canyon Road
Birmingham, Alabama 35216

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Suite 554-E—600 Federal Place
Louisville, Kentucky 40202

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Enterprise Building—Suite 204
6605 Abercorn Street
Savannah, Georgia 31405

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Commerce Building—Room 600
118 North Royal Street
Mobile, Alabama 36602

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Riverside Plaza Shopping Center
2720 Riverside Plaza
Macon, Georgia 31204

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
1710 Gervais Street—Room 205
Columbia, South Carolina 29201

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
5760 I—55 North Frontage Road East
Jackson, Mississippi 39211

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
300 South Wacker Drive
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
847 Federal Office Building
1240 East Ninth Street
Cleveland, Ohio 44199

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
360 S. Third Street—Room 109
Columbus, Ohio 43215

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Michigan Theatre Building—Room 626
200 Bagley Avenue
Detroit, Michigan 48226

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
110 South Fourth Street—Room 427
Minneapolis, Minnesota 55401

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Clark Building—Room 400
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
U.S. Post Office and Courthouse
Room 423
46 East Ohio Street
Indianapolis, Indiana 46204

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 5522—Federal Office Building
50 Main Street
Cincinnati, Ohio 45202

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 734 Federal Office Building
234 N. Summit Street
Toledo, Ohio 43604

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
307 Central National Bank Building
2100 Travis Street
Houston, Texas 77002

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Adolphus Tower—Suite 1820
1412 Main Street
Dallas, Texas 75202

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 421—Federal Building
1205 Texas Avenue
Lubbock, Texas 79401

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
548 Carondelet Street—Room 202
New Orleans, Louisiana 70130

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 512—Petroleum Building
420 South Boulder
Tulsa, Oklahoma 74103

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 526—Donaghey Building
103 East 7th Street
Little Rock, Arkansas 72201

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
1015 Jackson Keller Road—Room 215
San Antonio, Texas 78213

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 302—Federal Building
P.O. Box 1428
Albuquerque, New Mexico 87103

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
1627 Main Street—Room 1110
Kansas City, Missouri 64108

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
210 North 12th Boulevard, Room 554
St. Louis, Missouri 63101

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Petroleum Building
221 South Broadway Street—Suite 312
Wichita, Kansas 67202

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
City National Bank Building
Room 803
Omaha, Nebraska 68102

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
113 West 6th Street
North Platte, Nebraska 69101

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Squire Plaza Building
8527 W. Colfax Avenue
Lakewood, Colorado 80215

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Suite 525 Petroleum Building
2812 1st Avenue—North
Billings, Montana 59101

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Suite 309—Executive Building
455 East 4th South
Salt Lake City, Utah 84111

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
100 McAllister Street—Room 1706
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Suite 318—Amerco Towers
2721 North Central Avenue
Phoenix, Arizona 85004

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
333 Queen Street—Suite 505
Honolulu, Hawaii 96813

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
1100 E. William Street
Carson City, Nevada 89701

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Hartwell Building—Room 401
19 Pine Avenue
Long Beach, California 90802

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
121—107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Federal Building—Room 227
605 West 4th Avenue
Anchorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Room 526 Pittock Block
921 S. W. Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
228 Idaho Building
216 North 8th Street
Boise, Idaho 83702

and they will be available for inspection at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW
National Institute for Occupational Safety and Health
Room 10-A-22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for Occupational Safety and Health
1100 Commerce Street, Room 8-C-53
Dallas, Texas 75202

U.S. Department of HEW
National Institute for Occupational Safety and Health
401 North Broad Street
Philadelphia, Pennsylvania 19108

U.S. Department of HEW
National Institute for Occupational Safety and Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for Occupational Safety and Health
50 Seventh Street, N.E.
Atlanta, Georgia 30323

U.S. Department of HEW
National Institute for Occupational Safety and Health
Arcade Building
1321 Second Street
Seattle, Washington 98101

U.S. Department of HEW
National Institute for Occupational Safety and Health
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

U.S. Department of HEW
National Institute for Occupational Safety and Health
26 Federal Plaza
New York, New York 10007

U.S. Department of HEW
National Institute for Occupational Safety and Health
601 East 12th Street
Kansas City, Missouri 64106

U.S. Department of HEW
National Institute for Occupational Safety and Health
254 Federal Office Building
50 Foulton Street
San Francisco, California 94102

U.S. Department of HEW
National Institute for Occupational Safety and Health
300 South Wacker Drive
Chicago, Illinois 60607

Finally, copies of the NIOSH document will be available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

This advance notice of proposed rule-making is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 23rd day of December, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-30226 Filed 12-26-74; 8:45 am]

[29 CFR Part 1910]

STANDARD FOR OCCUPATIONAL EXPOSURE TO CHLOROFORM

Advance Notice of Proposed Rulemaking

The National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health, Education, and Welfare has submitted to the Secretary of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, criteria for a recommended standard on the occupational exposure to Chloroform. The Office of Standards Development, Occupational Safety and Health Administration, U.S. Department of Labor is studying the criteria and would appreciate public participation on the issues of whether a new standard for Chloroform should be issued on the basis of the criteria or any other information, and, if so, what should be the contents of a proposed standard for Chloroform. The issues are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views, and arguments concerning a standard on occupational exposure to Chloroform. Comments are specifically requested concerning:

1. Whether a new standard on occupational exposure to Chloroform should be issued;
2. Each section of the standard recommended by NIOSH;
3. Suitable alternatives to the recommendations of NIOSH;
4. Work injury and illness experience with Chloroform;
5. Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;
6. Supported data on any possible environmental impact of the recommended standard, and specifically (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and
7. Any other related issues.

Communications should be submitted to the Docket Officer, Occupational Safety and Health Administration, U.S. Department of Labor, Room 260, 1726 M Street, NW., Washington, D.C. 20210. The communications will be available for public inspection and copying at the above location.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to Chloroform will be available for inspection and copying, upon request, at any of the following addresses:

NATIONAL OFFICE

U.S. Department of Labor
Occupational Safety and Health Administration
Technical Data Center
Room 260
1726 M Street, N.W.
Washington, D.C. 20210

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety & Health Administration
Fifth Floor
18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety & Health Administration
1515 Broadway (1 Astor Plaza)
New York, New York 10036

U.S. Department of Labor
Occupational Safety & Health Administration
15220 Gateway Center
3535 Market Street
Philadelphia, Pennsylvania 19104

U.S. Department of Labor
Occupational Safety & Health Administration
1375 Peachtree Street, N.E.—Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety & Health Administration
300 South Wacker Drive—Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety & Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety & Health Administration
911 Walnut Street
Room 3000
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety & Health Administration
Federal Building—Room 115010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety & Health Administration
9470 Federal Building
450 Golden Gate Avenue
Post Office Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety & Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

AREA OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Custom House Building
State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 425
55 Pleasant Street
Concord, New Hampshire 03301

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 617
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse Building
436 Dwight Street
Room 504
Springfield, Massachusetts 01103

U.S. Department of Labor
Occupational Safety and Health Administration
90 Church Street—Room 1405
New York, New York 10007

PROPOSED RULES

U.S. Department of Labor Occupational Safety and Health Administration Federal Office Building 970 Broad Street—Room 1435C Newark, New Jersey 07102	U.S. Department of Labor Occupational Safety and Health Administration Todd Mall, 2047 Canyon Road Birmingham, Alabama 35216	U.S. Department of Labor Occupational Safety and Health Administration Room 734 Federal Office Building 234 N. Summit Street Toledo, Ohio 43604
U.S. Department of Labor Occupational Safety and Health Administration Room 203—Midtown Plaza 700 East Water Street Syracuse, New York 13210	U.S. Department of Labor Occupational Safety and Health Administration Suite 554-E—600 Federal Place Louisville, Kentucky 40202	U.S. Department of Labor Occupational Safety and Health Administration 307 Central National Bank Building 2100 Travis Street Houston, Texas 77002
U.S. Department of Labor Occupational Safety and Health Administration 370 Old Country Road Garden City, Long Island, New York 11530	U.S. Department of Labor Occupational Safety and Health Administration Enterprise Building—Suite 204 6605 Abercorn Street Savannah, Georgia 31405	U.S. Department of Labor Occupational Safety and Health Administration Adolphus Tower—Suite 1820 1412 Main Street Dallas, Texas 75202
U.S. Department of Labor Occupational Safety and Health Administration Condominium San Alberto Building 605 Condado Avenue—Room 328 Sanurce, Puerto Rico 00970	U.S. Department of Labor Occupational Safety and Health Administration Commerce Building—Room 600 118 North Royal Street Mobile, Alabama 36602	U.S. Department of Labor Occupational Safety and Health Administration Room 421—Federal Building 1205 Texas Avenue Lubbock, Texas 79401
U.S. Department of Labor Occupational Safety and Health Administration William J. Green, Jr. Federal Building 600 Arch Street Philadelphia, Pennsylvania 19106	U.S. Department of Labor Occupational Safety and Health Administration Riverside Plaza Shopping Center 2720 Riverside Plaza Macon, Georgia 31204	U.S. Department of Labor Occupational Safety and Health Administration 546 Carondelet Street—Room 202 New Orleans, Louisiana 70130
U.S. Department of Labor Occupational Safety and Health Administration Federal Building—Room 1110-A 31 Hopkins Plaza—Charles Center Baltimore, Maryland 21201	U.S. Department of Labor Occupational Safety and Health Administration 1710 Gervais Street—Room 205 Columbia, South Carolina 29201	U.S. Department of Labor Occupational Safety and Health Administration Room 512—Petroleum Building 420 South Boulder Tulsa, Oklahoma 74103
U.S. Department of Labor Occupational Safety and Health Administration Charleston National Plaza—Suite 1726 700 Virginia Street Charleston, West Virginia 25301	U.S. Department of Labor Occupational Safety and Health Administration 5760 I—55 North Frontage Road East Jackson, Mississippi 39211	U.S. Department of Labor Occupational Safety and Health Administration Room 526—Donaghey Building 103 East 7th Street Little Rock, Arkansas 72201
U.S. Department of Labor Occupational Safety and Health Administration Room 802, Jonnet Building 4099 William Penn Highway Monroeville, Pennsylvania 15146	U.S. Department of Labor Occupational Safety and Health Administration 300 South Wacker Drive Chicago, Illinois 60606	U.S. Department of Labor Occupational Safety and Health Administration 1015 Jackson Keller Road—Room 215 San Antonio, Texas 78213
U.S. Department of Labor Occupational Safety and Health Administration Federal Building—Room 8081 400 N. 8th Street, P.O. Box 10186 Richmond, Virginia 23240	U.S. Department of Labor Occupational Safety and Health Administration 847 Federal Office Building 1240 East Ninth Street Cleveland, Ohio 44199	U.S. Department of Labor Occupational Safety and Health Administration Room 302—Federal Building P.O. Box 1428 Albuquerque, New Mexico 87103
U.S. Department of Labor Occupational Safety and Health Administration Building 10—Suite 33 La Vista Perimeter Park Tucker, Georgia 30084	U.S. Department of Labor Occupational Safety and Health Administration 360 S. Third Street—Room 109 Columbus, Ohio 43215	U.S. Department of Labor Occupational Safety and Health Administration 1627 Main Street—Room 1110 Kansas City, Missouri 64108
U.S. Department of Labor Occupational Safety and Health Administration Federal Office Building—Room 613A 310 New Bern Avenue Raleigh, North Carolina 27601	U.S. Department of Labor Occupational Safety and Health Administration Michigan Theatre Building—Room 626 200 Bagley Avenue Detroit, Michigan 48226	U.S. Department of Labor Occupational Safety and Health Administration 210 North 12th Boulevard, Room 554 St. Louis, Missouri 63101
U.S. Department of Labor Occupational Safety and Health Administration Room 204—Bridge Building 3200 E. Oakland Park Boulevard Fort Lauderdale, Florida 33308	U.S. Department of Labor Occupational Safety and Health Administration 110 South Fourth Street—Room 427 Minneapolis, Minnesota 55401	U.S. Department of Labor Occupational Safety and Health Administration Petroleum Building 221 South Broadway Street—Suite 312 Wichita, Kansas 67202
U.S. Department of Labor Occupational Safety and Health Administration 1600 Hayes Street—Suite 302 Nashville, Tennessee 37203	U.S. Department of Labor Occupational Safety and Health Administration Clark Building—Room 400 633 West Wisconsin Avenue Milwaukee, Wisconsin 53203	U.S. Department of Labor Occupational Safety and Health Administration City National Bank Building Room 803 Omaha, Nebraska 68102
U.S. Department of Labor Occupational Safety and Health Administration 2809 Art Museum Drive—Suite 4 Art Museum Plaza Jacksonville, Florida 32207	U.S. Department of Labor Occupational Safety and Health Administration Room 5522—Federal Office Building 550 Main Street Cincinnati, Ohio 45202	U.S. Department of Labor Occupational Safety and Health Administration 113 West 6th Street North Platte, Nebraska 69101
		U.S. Department of Labor Occupational Safety and Health Administration Squire Plaza Building 8527 W. Colfax Avenue Lakewood, Colorado 80215

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 525 Petroleum Building
2812 1st Avenue—North
Billings, Montana 59101

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 309—Executive Building
455 East 4th South
Salt Lake City, Utah 84111

U.S. Department of Labor
Occupational Safety and Health Administration
100 McAllister Street—Room 1706
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 318—Amerco Towers
2721 North Central Avenue
Phoenix, Arizona 85004

U.S. Department of Labor
Occupational Safety and Health Administration
333 Queen Street—Suite 505
Honolulu, Hawaii 96813

U.S. Department of Labor
Occupational Safety and Health Administration
1100 E. William Street
Carson City, Nevada 89701

U.S. Department of Labor
Occupational Safety and Health Administration
Hartwell Building—Room 401
19 Pine Avenue
Long Beach, California 90802

U.S. Department of Labor
Occupational Safety and Health Administration
121-107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 227
605 West 4th Avenue
Achorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and Health Administration
Room 526 Pittock Block
921 S.W. Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health Administration
228 Idaho Building
216 North 8th Street
Boise, Idaho 83702

and they will be available for inspection at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW
National Institute for Occupational Safety and Health
Room 10-A-22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for Occupational Safety and Health
1100 Commerce Street, Room 8-C-53
Dallas, Texas 75202

U.S. Department of HEW
National Institute for Occupational Safety and Health
401 North Broad Street
Philadelphia, Pennsylvania 19108

U.S. Department of HEW
National Institute for Occupational Safety and Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for Occupational Safety and Health
50 Seventh Street, N.E.
Atlanta, Georgia 30323

U.S. Department of HEW
National Institute for Occupational Safety and Health
Arcade Building
1321 Second Street
Seattle, Washington 98101

U.S. Department of HEW
National Institute for Occupational Safety and Health
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

U.S. Department of HEW
National Institute for Occupational Safety and Health
26 Federal Plaza
New York, New York 10007

U.S. Department of HEW
National Institute for Occupational Safety and Health
601 East 12th Street
Kansas City, Missouri 64106

U.S. Department of HEW
National Institute for Occupational Safety and Health
254 Federal Office Building
50 Foulton Street
San Francisco, California 94102

U.S. Department of HEW
National Institute for Occupational Safety and Health
300 South Wacker Drive
Chicago, Illinois 60607

Finally, copies of the NIOSH document will be available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

This advance notice of proposed rulemaking is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 23rd day of December, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-30225 Filed 12-26-74; 8:45 am]

[29 CFR Part 1910]

STANDARD FOR OCCUPATIONAL EXPOSURE TO COTTON DUST

Advance Notice of Proposed Rulemaking

The National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health, Education, and Welfare has submitted to the Secretary of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, criteria for a recommended standard on the occupational exposure to Cotton Dust. The Office of Standards Development, Occupational Safety and Health Administration, U.S. Department of Labor is studying the criteria and would appreciate public participation on the issues of whether a new

standard for Cotton Dust should be issued on the basis of the criteria or any other information, and, if so, what should be the contents of a proposed standard for Cotton Dust. The issues are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views, and arguments concerning a standard on occupational exposure to Cotton Dust. Comments are specifically requested concerning:

(1) Whether a new standard on occupational exposure to Cotton Dust should be issued;

(2) Each section of the standard recommended by NIOSH;

(3) Suitable alternatives to the recommendations of NIOSH;

(4) Work injury and illness experience with Cotton Dust;

(5) Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;

(6) Supported data on any possible environmental impact of the recommended standard, and specifically (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and

(7) Any other related issues.

Communications should be submitted to the Docket Officer, Occupational Safety and Health Administration, U.S. Department of Labor, Room 260, 1726 M Street, NW, Washington, D.C. 20210. The communications will be available for public inspection and copying at the above location.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to Cotton Dust will be available for inspection and copying, upon request, at any of the following addresses:

NATIONAL OFFICE

U.S. Department of Labor
Occupational Safety and Health Administration
Technical Data Center
Room 260
1726 M Street, NW
Washington, D.C. 20210

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety & Health Administration
Fifth Floor
18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety & Health Administration
1515 Broadway (1 Astor Plaza)
New York, New York 10036

U.S. Department of Labor
Occupational Safety & Health Administration
15220 Gateway Center
3535 Market Street
Philadelphia, Pennsylvania 19104

PROPOSED RULES

U.S. Department of Labor
Occupational Safety & Health Administration
1375 Peachtree Street, N.E.—Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety & Health Administration
300 South Wacker Drive—Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety & Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety & Health Administration
911 Walnut Street
Room 3000
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety & Health Administration
Federal Building—Room 115010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety & Health Administration
9470 Federal Building
450 Golden Gate Avenue
Post Office Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety & Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

U.S. Department of Labor
Occupational Safety and Health Administration
Custom House Building
State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 425
55 Pleasant Street
Concord, New Hampshire 03301

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 617
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse Building
436 Dwight Street
Room 504
Springfield, Massachusetts 01103

U.S. Department of Labor
Occupational Safety and Health Administration
90 Church Street—Room 1405
New York, New York 10007

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Office Building
970 Broad Street—Room 1435C
Newark, New Jersey 07102

U.S. Department of Labor
Occupational Safety and Health Administration
Room 208—Midtown Plaza
700 East Water Street
Syracuse, New York 13210

U.S. Department of Labor
Occupational Safety and Health Administration
370 Old Country Road
Garden City, Long Island, New York 11530

U.S. Department of Labor
Occupational Safety and Health Administration
Condominium San Alberto Building
605 Condado Avenue—Room 328
Sanjurjo, Puerto Rico 00970

U.S. Department of Labor
Occupational Safety and Health Administration
William J. Green, Jr. Federal Building
600 Arch Street
Philadelphia, Pennsylvania 19106

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 1110-A
31 Hopkins Plaza—Charles Center
Baltimore, Maryland 21201

U.S. Department of Labor
Occupational Safety and Health Administration
Charleston National Plaza—Suite 1726
700 Virginia Street
Charleston, West Virginia 25301

U.S. Department of Labor
Occupational Safety and Health Administration
Room 802, Jonnet Building
4099 William Penn Highway
Monroeville, Pennsylvania 15146

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 8081
400 N. 8th Street, P.O. Box 10186
Richmond, Virginia 23240

U.S. Department of Labor
Occupational Safety and Health Administration
Building 10—Suite 33
La Vista Perimeter Park
Tucker, Georgia 30084

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Office Building—Room 613A
310 New Bern Avenue
Raleigh, North Carolina 27601

U.S. Department of Labor
Occupational Safety and Health Administration
Room 204—Bridge Building
3200 E. Oakland Park Boulevard
Fort Lauderdale, Florida 33308

U.S. Department of Labor
Occupational Safety and Health Administration
1600 Hayes Street—Suite 302
Nashville, Tennessee 37203

U.S. Department of Labor
Occupational Safety and Health Administration
2809 Art Museum Drive—Suite 4
Art Museum Plaza
Jacksonville, Florida 32207

U.S. Department of Labor
Occupational Safety and Health Administration
Todd Mall, 2047 Canyon Road
Birmingham, Alabama 35216

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 554-E—600 Federal Place
Louisville, Kentucky 40202

U.S. Department of Labor
Occupational Safety and Health Administration
Enterprise Building—Suite 204
6605 Abercorn Street
Savannah, Georgia 31405

U.S. Department of Labor
Occupational Safety and Health Administration
Commerce Building—Room 600
118 North Royal Street
Mobile, Alabama 36602

U.S. Department of Labor
Occupational Safety and Health Administration
Riverside Plaza Shopping Center
2720 Riverside Plaza
Macon, Georgia 31204

U.S. Department of Labor
Occupational Safety and Health Administration
1710 Gervais Street—Room 205
Columbia, South Carolina 29201

U.S. Department of Labor
Occupational Safety and Health Administration
5760 I—55 North Frontage Road East
Jackson, Mississippi 39211

U.S. Department of Labor
Occupational Safety and Health Administration
300 South Wacker Drive
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Administration
847 Federal Office Building
1240 East Ninth Street
Cleveland, Ohio 44199

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Occupational Safety and Health Administration
360 S. Third Street—Room 109
Columbus, Ohio 43215

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Occupational Safety and Health Administration
Michigan Theatre Building—Room 626
200 Bagley Avenue
Detroit, Michigan 48226

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Occupational Safety and Health Administration
110 South Fourth Street—Room 427
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Clark Building—Room 400
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

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Occupational Safety and Health Administration
U.S. Post Office and Courthouse
Room 423
46 East Ohio Street
Indianapolis, Indiana 46204

U.S. Department of Labor
Occupational Safety and Health Administration
Room 5522—Federal Office Building
550 Main Street
Cincinnati, Ohio 45202

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Occupational Safety and Health Administration
Room 734 Federal Office Building
234 N. Summit Street
Toledo, Ohio 43604

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307 Central National Bank Building
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Houston, Texas 77002

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Adolphus Tower—Suite 1820
1412 Main Street
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Room 421—Federal Building
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New Orleans, Louisiana 70130

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420 South Boulder
Tulsa, Oklahoma 74103

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Room 526—Donaghey Building
103 East 7th Street
Little Rock, Arkansas 72201

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1015 Jackson Keller Road—Room 215
San Antonio, Texas 78213

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Occupational Safety and Health Adminis-
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Room 302—Federal Building
P.O. Box 1428
Albuquerque, New Mexico 87103

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1627 Main Street—Room 1110
Kansas City, Missouri 64108

U.S. Department of Labor
Occupational Safety and Health Adminis-
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210 North 12th Boulevard, Room 554
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Petroleum Building
221 South Broadway Street—Suite 312
Wichita, Kansas 67202

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Occupational Safety and Health Adminis-
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City National Bank Building
Room 803
Omaha, Nebraska 68102

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113 West 6th Street
North Platte, Nebraska 69101

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Squire Plaza Building
8527 W. Colfax Avenue
Lakewood, Colorado 80215

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Suite 525 Petroleum Building
2812 1st Avenue—North
Billings, Montana 59101

U.S. Department of Labor
Occupational Safety and Health Adminis-
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Suite 309—Executive Building
455 East 4th South
Salt Lake City, Utah 84111

U.S. Department of Labor
Occupational Safety and Health Adminis-
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100 McAllister Street—Room 1706
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Suite 318—Amerco Towers
2721 North Central Avenue
Phoenix, Arizona 85004

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
333 Queen Street—Suite 505
Honolulu, Hawaii 96813

U.S. Department of Labor
Occupational Safety and Health Adminis-
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1100 E. William Street
Carson City, Nevada 89701

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Hartwell Building—Room 401
19 Pine Avenue
Long Beach, California 90802

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
121-107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Federal Building—Room 227
605 West 4th Avenue
Anchorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
Room 526 Pittock Block
921 S.W. Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health Adminis-
tration
228 Idaho Building
216 North 8th Street
Boise, Idaho 83702

and they will be available for inspection
at the national and regional offices of
the U.S. Department of Health, Educa-
tion, and Welfare, National Institute for
Occupational Safety and Health, at the
following addresses:

U.S. Department of HEW
National Institute for Occupational Safety
and Health
Room 10-A-22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for Occupational Safety
and Health
1100 Commerce Street, Room 8-C-53
Dallas, Texas 75202

U.S. Department of HEW
National Institute for Occupational Safety
and Health
401 North Broad Street
Philadelphia, Pennsylvania 19108

U.S. Department of HEW
National Institute for Occupational Safety
and Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for Occupational Safety
and Health
50 Seventh Street, N.E.
Atlanta, Georgia 30323

U.S. Department of HEW
National Institute for Occupational Safety
and Health
Arcade Building
1321 Second Street
Seattle, Washington 98101

U.S. Department of HEW
National Institute for Occupational Safety
and Health
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

U.S. Department of HEW
National Institute for Occupational Safety
and Health
26 Federal Plaza
New York, New York 10007

U.S. Department of HEW
National Institute for Occupational Safety
and Health
601 East 12th Street
Kansas City, Missouri 64106

U.S. Department of HEW
National Institute for Occupational Safety
and Health
254 Federal Office Building
50 Foulton Street
San Francisco, California 94102

U.S. Department of HEW
National Institute for Occupational Safety
and Health
300 South Wacker Drive
Chicago, Illinois 60607

Finally, copies of the NIOSH document
will be available for purchase from the
Superintendent of Documents, U.S. Gov-
ernment Printing Office, Washington,
D.C. 20402.

This advance notice of proposed rule-
making is issued under section 6 of the
Williams-Steiger Occupational Safety
and Health Act of 1970 (84 Stat. 1593;
29 U.S.C. 655) and Secretary of Labor's
Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 23rd
day of December, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-30223 Filed 12-26-74; 8:45 am]

[29 CFR Part 1910]

STANDARD FOR OCCUPATIONAL EXPO-
SURE TO CRYSTALLINE SILICA

Advance Notice of Proposed Rulemaking

The National Institute for Occupa-
tional Safety and Health (NIOSH), U.S.
Department of Health, Education, and
Welfare has submitted to the Secretary
of Labor, pursuant to the Williams-
Steiger Occupational Safety and Health
Act of 1970, criteria for a recommended
standard on the occupational exposure
to crystalline silica. The Office of Stand-
ards Development, Occupational Safety
and Health Administration, U.S. Depart-
ment of Labor is studying the criteria
and would appreciate public participa-
tion on the issues of whether a new
standard for crystalline silica should be
issued on the basis of the criteria or any
other information, and, if so, what
should be the contents of a proposed
standard for crystalline silica. The issues

are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views, and arguments concerning a standard on occupational exposure to crystalline silica. Comments are specifically requested concerning:

(1) Whether a new standard on occupational exposure to crystalline silica should be issued;

(2) Each section of the standard recommended by NIOSH;

(3) Suitable alternatives to the recommendations of NIOSH;

(4) Work injury and illness experience with crystalline silica;

(5) Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;

(6) Supported data on any possible environmental impact of the recommended standard, and specifically, (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and

(7) Any other related issues.

Communications should be submitted to the Docket Officer, Occupational Safety and Health Administration, U.S. Department of Labor, Room 260, 1726 M Street NW., Washington, D.C. 20210. The communications will be available for public inspection and copying at the above location.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to crystalline silica will be available for inspection and copying, upon request, at any of the following addresses:

NATIONAL OFFICE

U.S. Department of Labor
Occupational Safety and Health Administration
Technical Data Center
Room 260
1726 M Street, NW.
Washington, D.C. 20210

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety & Health Administration
Fifth Floor
18 Oliver Street
Boston, Massachusetts 02110
U.S. Department of Labor
Occupational Safety & Health Administration
1515 Broadway (1 Astor Plaza)
New York, New York 10036
U.S. Department of Labor
Occupational Safety & Health Administration
15220 Gateway Center
3535 Market Street
Philadelphia, Pennsylvania 19104
U.S. Department of Labor
Occupational Safety & Health Administration
1375 Peachtree Street, N.E.—Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety & Health Administration
300 South Wacker Drive—Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety & Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety & Health Administration
911 Walnut Street
Room 3000
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety & Health Administration
Federal Building—Room 115010
1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety & Health Administration
9470 Federal Building
450 Golden Gate Avenue
Post Office Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety & Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

AREA OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Custom House Building
State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 425
55 Pleasant Street
Concord, New Hampshire 03301

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 617
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health Administration
436 Dwight Street
Room 504
Springfield, Massachusetts 01103

U.S. Department of Labor
Occupational Safety and Health Administration
90 Church Street—Room 1405
New York, New York 10007

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Office Building
970 Broad Street—Room 1435C
Newark, New Jersey 07102

U.S. Department of Labor
Occupational Safety and Health Administration
Room 203—Midtown Plaza
700 East Water Street
Syracuse, New York 13210

U.S. Department of Labor
Occupational Safety and Health Administration
370 Old Country Road
Garden City, Long Island, New York 11530

U.S. Department of Labor
Occupational Safety and Health Administration
Condominium San Alberto Building
605 Condado Avenue—Room 328
San Juan, Puerto Rico 00970

U.S. Department of Labor
Occupational Safety and Health Administration
William J. Green, Jr., Federal Building
600 Arch Street
Philadelphia, Pennsylvania 19106
U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 1110-A
31 Hopkins Plaza—Charles Center
Baltimore, Maryland 21201
U.S. Department of Labor
Occupational Safety and Health Administration

Charleston National Plaza—Suite 1726
700 Virginia Street
Charleston, West Virginia 25301
U.S. Department of Labor
Occupational Safety and Health Administration

Room 802, Jennet Building
4099 William Penn Highway
Monroeville, Pennsylvania 15146
U.S. Department of Labor
Occupational Safety and Health Administration

Federal Building—Room 8081
400 N. 8th Street, P.O. Box 10186
Richmond, Virginia 23240
U.S. Department of Labor
Occupational Safety and Health Administration

Building 10—Suite 33
La Vista Perimeter Park
Tucker, Georgia 30084
U.S. Department of Labor
Occupational Safety and Health Administration

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Raleigh, North Carolina 27601
U.S. Department of Labor
Occupational Safety and Health Administration

Room 204—Bridge Building
3200 Oakland Park Boulevard
Fort Lauderdale, Florida 33308
U.S. Department of Labor
Occupational Safety and Health Administration

1600 Hayes Street—Suite 302
Nashville, Tennessee 37203
U.S. Department of Labor
Occupational Safety and Health Administration

2809 Art Museum Drive—Suite 4
Art Museum Plaza
Jacksonville, Florida 32207
U.S. Department of Labor
Occupational Safety and Health Administration

Todd Mall, 2047 Canyon Road
Birmingham, Alabama 35216
U.S. Department of Labor
Occupational Safety and Health Administration

Suite 554-E—600 Federal Place
Louisville, Kentucky 40202
U.S. Department of Labor
Occupational Safety and Health Administration

Enterprise Building—Suite 204
6805 Abercorn Street
Savannah, Georgia 31405
U.S. Department of Labor
Occupational Safety and Health Administration

Commerce Building—Room 600
118 North Royal Street
Mobile, Alabama 36602

U.S. Department of Labor
Occupational Safety and Health Administration
Riverside Plaza Shopping Center
2720 Riverside Plaza
Macon, Georgia 31204

U.S. Department of Labor
Occupational Safety and Health Administration
1710 Gervais Street—Room 205
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U.S. Department of Labor
Occupational Safety and Health Administration
5760 I—56 North Frontage Road East
Jackson, Mississippi 39211

U.S. Department of Labor
Occupational Safety and Health Administration
300 South Wacker Drive
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Administration
847 Federal Office Building
1240 East Ninth Street
Cleveland, Ohio 44199

U.S. Department of Labor
Occupational Safety and Health Administration
360 S. Third Street—Room 109
Columbus, Ohio 43215

U.S. Department of Labor
Occupational Safety and Health Administration
Michigan Theatre Building—Room 626
200 Bagley Avenue
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Occupational Safety and Health Administration
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Minneapolis, Minnesota 55401

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Occupational Safety and Health Administration
Clark Building—Room 400
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse
Room 423
46 East Ohio Street
Indianapolis, Indiana 46204

U.S. Department of Labor
Occupational Safety and Health Administration
Room 5522—Federal Office Building
550 Main Street
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U.S. Department of Labor
Occupational Safety and Health Administration
Room 734 Federal Office Building
234 N. Summit Street
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Occupational Safety and Health Administration
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U.S. Department of Labor
Occupational Safety and Health Administration
Room 421—Federal Building
1205 Texas Avenue
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Occupational Safety and Health Administration
546 Carondelet Street—Room 202
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Occupational Safety and Health Administration
Room 526—Donaghey Building
103 East 7th Street
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U.S. Department of Labor
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1015 Jackson Keller Road—Room 215
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1627 Main Street—Room 1110
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U.S. Department of Labor
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Occupational Safety and Health Administration
City National Bank Building
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113 West 6th Street
North Platte, Nebraska 69101

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Squire Plaza Building
8527 W. Colfax Avenue
Lakewood, Colorado 80215

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Suite 525 Petroleum Building
2812 1st Avenue—North
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Suite 309—Executive Building
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333 Queen Street—Suite 505
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1100 E. William Street
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Long Beach, California 90802

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Occupational Safety and Health Administration
121—107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 227
605 West 4th Avenue
Anchorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and Health Administration
Room 526 Pittock Block
921 SW. Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health Administration
228 Idaho Building
216 North 8th Street
Boise, Idaho 83702

and they will be available for inspection at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW
National Institute for Occupational Safety and Health
Room 10-A-22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for Occupational Safety and Health
1100 Commerce Street, Room 8-C-53
Dallas, Texas 75202

U.S. Department of HEW
National Institute for Occupational Safety and Health
401 North Broad Street
Philadelphia, Pennsylvania 19108

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National Institute for Occupational Safety and Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for Occupational Safety and Health
50 Seventh Street, N.E.
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National Institute for Occupational Safety and Health
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Seattle, Washington 98101

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National Institute for Occupational Safety and Health
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

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26 Federal Plaza
New York, New York 10007
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National Institute for Occupational Safety
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601 East 12th Street
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U.S. Department of HEW
National Institute for Occupational Safety
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254 Federal Office Building
50 Foulton Street
San Francisco, California 94102
U.S. Department of HEW
National Institute for Occupational Safety
and Health
300 South Wacker Drive
Chicago, Illinois 60607

Finally, copies of the NIOSH document will be available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

This advance notice of proposed rule-making is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 23rd day of December, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Dec 74-30224 Filed 12-26-74; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 151]

RIGHT TO READ STATE GRANTS

Notice of Proposed Rule Making

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in section 2(a) of the Cooperative Research Act, Pub. L. 83-531, as amended (20 U.S.C. 331a), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Part 151 of Title 45 of the Code of Federal Regulations by adding a new Subpart D, to read as set forth below.

1. *Right to Read Program.* Section 2 (a) (1) of the Cooperative Research Act authorizes the Commissioner of Education to award grants for surveys, dissemination of information, and exemplary projects in the field of education. Funds which are appropriated pursuant to this authority to carry out the Right to Read Program are utilized to make grants to, and contracts with, eligible applicants for the purpose of increasing functional literacy within the United States.

Apart from a limited number of specifically focused procurements, the Right to Read effort is carried out through grant awards pursuant to the provisions of this part. Grants are made within the following competitions or sub-programs: (1)

Preservice Teacher Training; (2) Right to Read States Program; (3) School-based program; (4) Community-based program; and (5) Special projects for national impact.

The following regulations set forth rules governing the award and administration of grants for the planning and carrying out of statewide reading activities designed to prevent and eliminate illiteracy. The purpose of these grants is to provide financial assistance to State educational agencies (or other eligible applicants) so that they may train and provide technical assistance and information to school administrators responsible for the development and carrying out of reading programs in local educational agencies and other elementary and secondary schools.

2. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the Right to Read States Program. Once these regulations are published in final form, and become effective after comments and hearing, all preceding rules, regulations, guidelines, and other published interpretations and orders issued in connection with or affecting the program (except the Office of Education's general provisions regulations) will be superseded. At present there will be no guidelines for the program. If guidelines should be issued in the future, they will be limited to recommendations and suggestions for program operation and management.

3. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case, the citation applies to all that appears in that section between the citation and the next preceding citation. When the citation appears only at the end of the section it applies to the entire section.

4. *General provisions regulations.* The proposed regulations do not contain provisions relating to general fiscal and administrative matters. Requirements of this nature are covered by the Office of Education general provisions regulations (38 FR 30654, November 6, 1973). (Reference is made in particular to 45 CFR

Part 100a, which contains general provisions for discretionary programs, including the Right to Read States Program.)

5. *Opportunity for public hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations as follows:

A hearing will take place at the U.S. Office of Education on January 27, 1975, in the auditorium of Regional Office Building Three (ROB-3), 7th and D Streets, SW., Washington, D.C. beginning at 10 a.m.

The purpose of the hearing is to receive comments and suggestions on the published materials.

Parties interested in attending the hearing should notify the Chairman, Office of Education Task Force on Section 503, 400 Maryland Avenue, SW., Room 2085, Federal Office Building Six (FOB-6), Washington, D.C. 20202, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Interested parties may also submit written comments and recommendations to the Chairman of the Education Task Force on Section 503 at the above address. All relevant material received prior to the date of the hearings will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance Program Number 13.533; Right to Read—Elimination of Illiteracy)

Dated: November 13, 1974.

T. H. BELL,
U.S. Commissioner of Education.

Approved: December 12, 1974.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

As proposed, 45 CFR Part 151, Subpart D would read as follows:

Subpart D—Right to Read State Grants

§ 151.40 Scope and purpose.

(a) This subpart governs applications from State educational agencies (and other eligible applicants) for the purpose of carrying out statewide reading activities designed to assist school administrators responsible for the development and carrying out of reading programs in local educational agencies.

(b) (1) Although it is expected that grants pursuant to this subpart will ordinarily be awarded to State educational agencies because they are uniquely situated to carry out the activities described in this subpart, other eligible applicants under section 2 of the Act may also apply, and their applications will be reviewed on the basis of the funding requirements and criteria in this subpart.

(2) As used in this subpart, the term "State educational agency" shall include all eligible institutions, agencies, and organizations under the Act, and requirements or criteria referring to the "State educational agency" shall be applied with relationship to the applicant or grantee, as appropriate.

(20 U.S.C. 331a(a))

§ 151.41 Funding requirements.

(a) Projects assisted under this subpart must be designed to prevent and eliminate illiteracy through the following activities, and each application for assistance under this subpart must set forth a comprehensive plan which provides for the carrying out and integration of these activities:

(1) Statewide surveys and needs assessments to determine the state of the art in reading and reading instruction and to validate promising reading practices within the State. Activities conducted pursuant to this subparagraph must include an examination of the appropriateness of requirements and opportunities for preparation and certification of teachers, administrators, and other educational personnel in relationship to reading problems.

(2) (i) An exemplary training program for administrators responsible for reading programs in selected local educational agencies within the State, including training in (A) the teaching of basic reading skills, (B) organizational and administrative skills, (C) interpersonal relations skills directed toward community involvement and the change process, (D) planning strategies, (E) the preparation of administrative support materials for reading programs, (F) the development and carrying out of tutoring projects in reading and the preparation of tutors for such projects, and (G) approaches to the provision of effective reading instruction for various target populations.

(ii) Administrators of reading programs in nonprofit private elementary and secondary schools may also receive training provided by the State educational agency pursuant to this subparagraph.

(3) The provision of technical assistance of an exemplary nature and the dissemination of information in support of the development, organization, and administration of reading programs in local educational agencies and other elementary and secondary schools. Activities conducted pursuant to this subparagraph must include: (i) the distribution of Right to Read materials and other information made available by the Commissioner; (ii) the provision of technical assistance, upon request and to the extent feasible, related to the use and application of such Right to Read materials and other information; (iii) the provision of follow-up technical assistance, upon request, to training program participants related to the specific areas in which training was offered, as described in subparagraph (2) of this paragraph; and (iv) the provision of information on effective and validated

reading programs and specific approaches to the teaching and learning of reading skills.

(b) Assistance under this subpart shall be subject to the following requirements, and each application for assistance under this subpart must provide information adequate to establish that these requirements will be met:

(1) Activities described in paragraph (a) of this section must (i) relate to the reading problems of both children and adults and (ii) address administrative, systemic problems, as well as learning problems at the classroom or individual learner level, related to the development and carrying out of effective reading programs.

(2) With respect to each of the activities described in paragraph (a) of this section, and application submitted under this subpart must set forth: (i) Specific and measurable objectives which will contribute to the elimination of illiteracy within the State; (ii) a proposed time-frame for accomplishing such objectives; (iii) an explanation of proposed procedures and strategies for accomplishing such objectives; and (iv) an evaluation component providing for the collection, verification, and analysis of data to measure the extent to which such objectives are accomplished by the project.

(3) (i) The grantee shall establish a State agency task force consisting of representatives of all programs within the State educational agency involving or related to reading activities.

(ii) The task force shall serve as a means of securing collaboration, with respect to the planning and implementation of the project assisted pursuant to this subpart, among representatives of different programs within the State agency involving or related to reading activities and also as a means for insuring that the project is effectively coordinated with other reading activities of the State educational agency.

(4) (i) The grantee shall appoint an advisory council consisting of representatives of the following institutions, groups, or interests within the State: (A) Reading programs of local educational agencies; (B) professional educational organizations; (C) the State legislature; (D) the Governor's Office; (E) business and industry; and (F) other public and private educational service and cultural associations.

(ii) The advisory council must be equitably representative of women and of racial and ethnic minority groups within the State.

(iii) The advisory council shall serve as an advisory body in planning, implementing, and evaluating the project and in providing for its coordination with other reading activities of local educational agencies and other schools within the State.

(5) (i) The grantee shall, with the advice of the advisory council established pursuant to paragraph (b) (4) of this section, develop standards of excellence defining the elements which ought to be involved in successful reading programs in the State.

(ii) Once they are developed, the standards of excellence shall be utilized in training activities conducted pursuant to paragraph (a) (2) of this section and as a measurement instrument in carrying out any continuing survey activities pursuant to paragraph (a) (1) of this section.

(20 U.S.C. 331a(a))

§ 151.42 Evaluation criteria.

(a) *Continuation awards.* The Commissioner will evaluate Right to Read State projects according to: (1) Criteria set forth in § 100a.26(b) of this chapter (general provisions regulations applicable to discretionary project awards funded by the Commissioner); (2) the effectiveness of the existing project in carrying out the comprehensive plan described in § 151.41(a); and (3) the extent to which continuation of the project is indicated in order to avoid losing the potential benefits of prior Federal investments in the projects.

(b) *New project awards.* The Commissioner will evaluate applications for new projects under this subpart in accordance with criteria set forth in § 100a.26(b) of this Chapter and the following criteria.

(1) The extent to which the State educational agency demonstrates a commitment to the elimination of illiteracy as evidenced by factors such as the following:

(i) The existing or planned organizational status within the State educational agency of personnel with administrative responsibilities related to reading programs.

(ii) The extent to which the applicant has initiated exemplary reading activities, including comprehensive planning, organizational development, exemplary reading projects, statewide needs assessment, and evaluation.

(iii) The extent to which visibility is given to the priority of reading through public announcements, State Board resolutions, and other efforts initiated by the State educational agency.

(2) The capability of the applicant to carry out effectively activities provided for in this subpart, as evidenced by factors such as the following:

(i) The extent to which the applicant has developed effective communications and delivery systems with local educational agencies and other schools and educational resources within the State for assisting in the provision of reading programs.

(ii) The extent to which the applicant has already engaged in comprehensive planning related to reading needs within the State.

(3) The overall quality of the proposed project in providing for and integrating all of the activities described in § 151.41(a) of this part to achieve maximum impact on the elimination of illiteracy within the State.

(4) The extent to which training and technical assistance activities involve, are related to, or hold promise of generating, innovative approaches, techniques, or other activities worthy of

replication in other States or by other public or private agencies and institutions within the State.

(5) The extent to which the application reflects knowledge of recent research and development in the area of reading.

(6) The extent to which the statewide program is based on a systematic assessment of the State's needs related to reading.

(20 U.S.C. 331a(a))

§ 151.44 Allowable costs.

Allowable costs under grants awarded pursuant to this subpart shall be determined in accordance with applicable cost principles set forth in the Appendixes to Subchapter A of this chapter, subject to the restriction that not in excess of five percent of the funds supplied under the grant may be used for evaluation purposes.

(20 U.S.C. 331a(a))

[FR Doc.74-30102 Filed 12-26-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-CE-28]

ALTERATION OF CONTROL ZONE

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone at Dubuque, Iowa.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before January 27, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new VOR approach procedure is being established for Runway 36 at the Dubuque, Iowa, Municipal Airport. Accordingly, it is necessary to alter the control zone to encompass the approach procedure so as to provide protection

for aircraft executing the new approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.171 (39 FR 354), the following control zone is amended to read:

DUBUQUE, IOWA

Within a 5-mile radius of Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'25" W.); within 3 miles each side of the Dubuque VORTAC 321° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; and within 3 miles each side of the Dubuque VORTAC 126° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 3 miles each side of the Dubuque VORTAC 182° radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Missouri, on December 2, 1974.

A. L. COULTER,
Director, Central Region.

[FR Doc.74-30146 Filed 12-26-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-CE-29]

DESIGNATION OF TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Hampton, Iowa.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before January 27, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the

Office of the Regional Council, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

The City of Hampton, Iowa, has installed a non-directional radio beacon on the Hampton Municipal Airport and is going to establish a public use instrument approach procedure based thereon. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new procedure by designating a 700-foot transition area at Hampton, Iowa.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In Section 71.181 (39 FR 440), the following transition area is added:

HAMPTON, IOWA

That airspace extending upward from 700 feet above the surface within a five (5) mile radius of the Hampton Municipal Airport (latitude 42°43'35" N., longitude 93°13'35" W.); excluding that airspace which overlies the Mason City, Iowa transition area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Missouri, on December 2, 1974.

A. L. COULTER,
Director, Central Region.

[FR Doc.74-30147 Filed 12-26-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-CE-33]

DESIGNATION AND ALTERATION OF TRANSITION AREAS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Charleston, Missouri, and alter the transition area at Cape Girardeau, Missouri.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before January 27, 1975, will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained

in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure is being established for the Charleston, Missouri, Municipal Airport. Accordingly, it is necessary to designate a transition area at Charleston, Missouri, to provide protection for aircraft executing the new instrument approach procedure.

The west VOR approach procedure at the Cape Girardeau, Missouri, Municipal Airport has been cancelled and a new VOR approach has been designated from the south. Accordingly, it is necessary to amend the 700-foot transition area by deleting that portion designed for the approach from the west and by adding a new description to provide protection for aircraft executing the new approach procedure from the south.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (39 FR 440), the following transition area is added:

CHARLESTON, MISSOURI

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Mississippi County Airport (latitude 36°50'22" N., longitude 89°21'42" W.); and within 3 miles each side of the 188° bearing from Charleston RBN (latitude 36°50'42" N., 89°21'24" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN, excluding that portion overlying the Sikeston transition area.

In § 71.181 (39 FR 440), the following transition area is amended to read:

CAPE GIRARDEAU, MISSOURI

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Cape Girardeau Municipal Airport (latitude 37°13'31" N., longitude 89°34'15" W.); within 4.5 miles east and 9.5 miles west of the Cape Girardeau VOR 194° radial, extending from the 10-mile radius area to 18.5 miles south of the VOR, excluding the portion which overlies the Sikeston transition area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1555(c)).

Issued in Kansas City, Missouri, on December 2, 1974.

A. L. COULTER,
Director, Central Region.

[FR Doc. 74-30148 Filed 12-26-74; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 120]

[FRL 305-8]

WEST VIRGINIA

Water Quality Standards; Withdrawal of Notice of Proposed Rulemaking

The purpose of this notice is to withdraw notice of proposed rulemaking published in the FEDERAL REGISTER on September 19, 1973 (38 FR 26209), in which the Environmental Protection Agency proposed to amend 40 CFR Part 120 to set out water quality standards for the State of West Virginia.

The September 19, 1973 notice of proposed rulemaking was issued pursuant to section 303 of the Federal Water Pollution Control Act, as amended (Pub. L. 92-500, 86 Stat. 816, 33 U.S.C. 1251 et seq., the "Act"), which provides for Federal promulgation of water quality standards where a State fails to adopt water quality standards meeting the requirements of the Act. The EPA is required to promulgate standards within 190 days of the proposal, unless by such time the State shall have adopted water quality standards which are found to be in accordance with the requirements of the Act.

One part of the standards which was considered unacceptable concerned the minimum flow rates established in the Monongahela River and zones 1 and 2 of the Kanawha River. Most States specify that water quality standards apply at all times except during periods of low or drought flow. Therefore, wastewater allocations and levels of treatment are designed so a discharge will be in compliance with water quality standards at these minimum flow levels. The minimum flow rates are determined by examining historical hydrographic records on the fluctuations in flow. EPA currently recommends that the 7 day, 10 year flow be used for design purposes. The minimum flow rates used for the rivers mentioned above were questioned by the EPA. The flows are regulated by various water control projects and natural levels can be manipulated.

It is now believed that there is insufficient technical justification to warrant final promulgation of the flow rates called for by EPA in its proposed regulation. EPA is therefore withdrawing from consideration the portion of the proposed notice concerned with promulgating minimum flow rates for the above mentioned rivers.

The State of West Virginia, EPA and the U.S. Army Corps of Engineers have undertaken a joint study to determine the minimum flow rates for the Monongahela River and zones 1 and 2 of the Kanawha River. The study is proposed for completion in December, 1974. Upon completion of the study the results will be submitted to the EPA. If the flow

rates are determined to be other than what is currently in the State's standards, the State will then provide a schedule by which the correct flow rates will be adopted.

The State has adopted all other requested changes. In response, EPA fully approved the January 14, 1974 West Virginia Water Standards submittal on July 11, 1974.

The standards of West Virginia consist of Administrative Regulations, State Water Resource Board, Chapter 20, Articles 5 and 5A, Code of West Virginia, Series I (1965) and Series II (1967), as adopted by the West Virginia Water Resources Board, on January 14, 1974, filed in the Office of the Secretary of State on March 15, 1974, and which became effective April 15, 1974. The regulations amend the use classifications and certain criteria assigned to protect those classifications previously approved by the Environmental Protection Agency on July 30, 1970.

A copy of the standards may be found at EPA Headquarters, Room 807 East Tower, 401 M Street SW., Washington, D.C. 20460, the Region III Office, EPA, 6th and Walnut Streets, Curtis Building, Room 243, Philadelphia, Pennsylvania 19106 and the West Virginia Department of Natural Resources, 1201 Greenbrier Street, Charleston, West Virginia 25311.

In consideration of the foregoing, the notice of proposed rulemaking published in the FEDERAL REGISTER on September 19, 1973 (38 FR 26209), entitled "Water Quality Standards, Navigable Waters for the State of West Virginia", is hereby withdrawn.

This withdrawal is issued under the authority of section 303 of the Federal Water Pollution Control Act, as amended (Pub. L. 92-500, 86 Stat. 816, 33 U.S.C. 1251 et seq.).

Dated: December 19, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc. 74-30136 Filed 12-26-74; 8:45 am]

[40 CFR Part 180]

[FRL 312-4]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbofuran

FMC Corp., 100 Niagara Street, Middleport, NY 14115, submitted a petition (PP 4E1483) proposing establishment of a tolerance for combined residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl-N-methylcarbamate); its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl-N-methylcarbamate; and its phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-

2,2-dimethyl-3-oxo-7-benzofuranol, and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiol in or on the raw agricultural commodity coffee beans at 0.1 part per million.

Based on consideration given data in the petition and other relevant material, it is concluded that:

1. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a) (3) applies.

2. The proposed tolerance will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), it is proposed that § 180.254 be amended by revising the paragraph "0.1 part per million in or on bananas * * *" to read as follows:

§ 180.254 Carbofuran; tolerances for residues.

0.1 part per million in or on bananas (negligible residue), coffee beans, sorghum grain, sugar beets, and sugarcane.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before January 27, 1975, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 421 East Tower, 401 M Street, SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received on or before January 27, 1975, and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the Office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: December 19, 1974.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.74-30083 Filed 12-26-74; 8:45 am]

FEDERAL DEPOSIT INSURANCE CORPORATION

[12 CFR Part 329]

INTEREST ON DEPOSITS

Notice of Pending Reconsideration

On November 26, 1974 the Board of Directors of the Federal Deposit Insurance Corporation (hereinafter the "Board of Directors") adopted a series of amendments to Part 329 of the Cor-

poration's rules and regulations (12 CFR Part 329). The amendments appear at 39 FR 42339-42340.

Among other things, the amendments allow insured nonmember banks to hold savings deposits of public units. Since savings deposits include so-called "NOW accounts" in Massachusetts and New Hampshire, one effect of the amendments is to permit insured nonmember banks (both commercial banks and mutual savings banks) in those two States to maintain "NOW accounts" of public units. "NOW accounts" are savings deposits that are subject to withdrawal by negotiable or transferable instruments for the purpose of making transfers to third parties. 12 CFR 329.6(c) and 329.7(b) (1) (ii), as amended. The interest rate ceilings on these "NOW accounts" are presently set at 5 percent per annum for both commercial banks and mutual savings banks.

Following publication of the amendments, the Board of Directors received a sizeable number of comments, both written and oral, regarding their effect in allowing public units in Massachusetts and New Hampshire to maintain "NOW" accounts with banks in those States.

In view of the controversy engendered by its previous action, the Board of Directors has decided to solicit public comments on the question of whether or not public units in Massachusetts and New Hampshire should be allowed to maintain "NOW accounts" with insured nonmember banks in those States.

The comment period has been set to expire on January 20, 1975. Consequently, all comments should be submitted to the Corporation on or before that date.

Since the possibility exists that the Board of Directors will decide, upon reconsideration, to bar insured nonmember banks in Massachusetts and New Hampshire (and non-Federally insured banks in Massachusetts which are subject to the Corporation's interest rate regulations) from maintaining "NOW accounts" for public units, those banks are advised not to accept such accounts from public units until the period for public comment has expired and the Board of Directors has formally acted upon reconsideration of the issues involved.

This notice is published pursuant to section 553(b) of Title 5, United States Code, and §§ 302.1-302.5 of the rules and regulations of the Federal Deposit Insurance Corporation.

Interested persons are invited to submit written data, views or arguments regarding the subject of this notice to the Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429, no later than January 20, 1975.

By order of the Board of Directors,
December 23, 1974.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.74-30280 Filed 12-26-74; 8:45 am]

FEDERAL HOME LOAN BANK BOARD [12 CFR Part 545]

[No. 74-1317]

FEDERAL SAVINGS AND LOAN SYSTEM Proposed Amendment Relating to Evidence of Ownership

DECEMBER 19, 1974.

The following summary of the amendment proposed by this resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble and to the specific provisions of the proposed regulation.

I. *Existing regulation.* Contains no provision respecting the issuance of plastic cards as evidence of account ownership.

II. *Proposed regulation.* Imposes a requirement that any plastic card issued as evidence of savings account ownership bear on the card the legend "nontransferable" or "not transferable"; exception for Federal associations in New Hampshire and Massachusetts.

III. *Reason for proposal.* Would put in regulatory form a requirement consistently imposed by the Board in approving remote service unit (RSU) applications under Federal Regulation § 545.4-2 and would facilitate the future offering of third party transfer services by Federal associations through RSU's.

The Federal Home Loan Bank Board considers it desirable to propose an amendment to Part 545 of the Rules and Regulations for the Federal Savings and Loan System (12 CFR Part 545), for the purposes described below. Accordingly, the Board hereby proposes to amend said Part 545 by adding a new paragraph (e) to § 545.2 thereof to read as set forth below.

The proposed amendment would have the effect of placing all Federal associations (except those having their home office in New Hampshire or Massachusetts) issuing or reissuing any machine-readable instrument as evidence of ownership of a savings account after June 30, 1975, in a position to use that instrument in connection with an approved remote service unit application under § 545.4-2 of the Federal Regulations. The amendment would require Federal associations to place on the instrument the legend "nontransferable" or "not transferable". This requirement has been consistently imposed by the Board on applications approved under said § 545.4-2.

Interested persons are invited to submit written data, views and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552 by January 31, 1975, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

Section 545.2 would be amended by adding paragraph (e) as follows:

§ 545.2 Evidence of Ownership.

(e) *Issuance of plastic cards or other machine-readable instruments.* Any machine-readable instrument issued or reissued as evidence of ownership of a savings account after June 30, 1975 by a Federal association, other than such an association having its home office in New Hampshire or Massachusetts, shall bear on the instrument the legend "non-transferable" or "not transferable".

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Sec. 2, Pub. L. 93-100, 87 Stat. 342. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.74-30271 Filed 12-26-74; 8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 226]

[Reg. Z]

TRUTH IN LENDING ACT

Open End Credit Accounts—Specific Disclosures

1. Pursuant to the authority contained in the Truth in Lending Act (15 U.S.C. 1604), the Board of Governors proposes to amend Part 226 (Regulation Z). The proposed amendment would require creditors sending blank checks or other credit devices to credit card holders which are intended to be used in connection with such accounts to include a clear disclosure statement of the charges and other pertinent credit information specifically related to the use of the blank checks or other credit devices delivered. Such a disclosure statement would be required only the first time the blank checks or other credit devices are sent to the customer, but not when later renewed or resupplied.

2. The Board proposes to amend § 226.7 by the addition of a new paragraph (f) to read as follows:

§ 226.7 Open end credit accounts—specific disclosures.

(f) *Delivery of new credit devices for use in open end accounts.* If a creditor of an open end credit account mails or delivers, other than as a renewal or resupply, a blank check, draft, or order or other credit device to a customer or cardholder for use in connection with such account, such blank check, draft, or order or other credit device shall be accompanied by a single written statement setting forth clearly and conspicuously those disclosures in paragraph (a) of this section which specifically relate to the use of the credit devices delivered. Such disclosure statement shall be separate from any other disclosures or promotional material delivered at the same time.

3. The proposed amendment to § 226.7 adds new disclosure requirements in the event that creditors deliver to their open

end account customers blank checks for use in activating the cash advance feature of such accounts. Such disclosures must be sent at the time such blank checks are first issued to the customer and must clearly state the charges and terms involved in their use. Similar disclosures would also be required to accompany the first delivery of any other credit device for use in connection with open end credit accounts.

Should the Board adopt the proposed amendment after considering the comments received on it, an effective date would be set far enough in advance to allow for the orderly change of forms where necessary.

This notice is published pursuant to section 553(b) of Title 5 United States Code, and § 262.2(a) of the Rules of Procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

To aid in the consideration of these matters by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to any Federal Reserve Bank for transmittal to the Board, to be received at the Board not later than January 31, 1975. Such materials will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules Regarding Availability of Information.

By order of the Board of Governors,
December 18, 1974.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.74-30251 Filed 12-26-74; 8:45 a.m.]

[12 CFR Part 226]

TRUTH IN LENDING

[Reg. Z]

Credit Other Than Open End—Specific Disclosures

1. Pursuant to the authority contained in the Truth in Lending Act (15 U.S.C. 1601 et seq.), the Board of Governors proposes to amend Part 226 (Regulation Z). The proposed amendment would require creditors to disclose to customers, in advance of their becoming obligated on a credit contract, a variable interest rate clause if the contract, note, or other instrument so provides. Amend § 226.8(b) by revising subparagraph (8) to read as follows:

§ 226.8 Credit other than open end—specific disclosures.

(b) *Disclosures in sale and nonsale credit.* . . .

(8) If the contract, note, or other instrument so provides, the fact that the annual percentage rate is prospectively subject to change; the conditions under which such rate may be changed; and if applicable, the maximum and minimum limits of such rates stipulated in the note,

contract, or other instrument evidencing the obligation.

2. The proposed amendment to § 226.8 (b) stipulates disclosure requirements for other than open end credit when the contract, note, or other instrument provides that the annual percentage rate is prospectively subject to change. That possibility of change, the conditions under which the change may occur, and any maximum or minimum rates must be included with the other Truth in Lending disclosures to be given to the consumer prior to consummation of the original extension of credit.

3. Should the Board adopt the proposed amendment after considering the comments received on it, an effective date would be set far enough in advance to allow for the orderly change of forms where necessary. This notice is published pursuant to section 553(b) of Title 5 United States Code, and § 262.2(a) of the Rules of Procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

To aid in the consideration of these matters by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to any Federal Reserve Bank for transmittal to the Board, to be received at the Board not later than January 31, 1975. Such materials will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules Regarding Availability of Information.

By order of the Board of Governors,
December 18, 1974.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.74-30252 Filed 12-26-74; 8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Parts 141, 260]

[Docket No. RM75-12]

ANNUAL REPORT FORMS

Future Financing Requirements; Extension of Time

DECEMBER 19, 1974.

Revisions to FPC Annual Report Forms No. 1 and No. 2 to obtain future financing requirements.

On December 11, 1974 the Interstate Natural Gas Association of America and the American Gas Association on December 16, 1974 filed a motion to extend the time for filing comments to the proposed rulemaking noticed November 6, 1974, (39 FR 40174; Nov. 14, 1974) in the above-designated matter.

Upon consideration, notice is hereby given that the date for filing comments in the above matter is extended to and including February 21, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30228 Filed 12-26-74; 8:45 am]

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Ostroll, Howard, P.O. Box 293, Ellenville, New York, convicted on June 9, 1964, in the Westchester County Court, White Plains, New York.

Patterson, Roy Lee, Route 3, Box 84, Edgewater, Maryland, convicted on April 9, 1953, in the Superior Court, County of Granville, North Carolina.

Rainbolt, Glen W., 2338 Stinson Blvd., Minneapolis, Minnesota, convicted on or about April 20, 1953, in the United States District Court for the Western District of Kentucky.

Reed, James Doyle, 946-9th Street, S.E., Mason City, Iowa, convicted on June 29, 1962, in the United States District Court, Northern District of Ohio and on July 14, 1971, in the United States District Court, Northern District of Iowa.

Rickheim, Everett William, 701 Spring Street, Muscatine, Iowa, convicted on May 22, 1972, in the Muscatine County District Court, Iowa.

Sanden, Darwin A., P.O. Box 940, International Falls, Minnesota, convicted on March 6, 1972, in the District Court, Koochiching County, Minnesota.

Simons, James A., 975 Johnson Avenue, Cottage Grove, Oregon, convicted on September 22, 1967, in the Circuit Court, Lane County, Oregon.

Smith, III, William T., P.O. Box 51, Rescue, Virginia, convicted on March 24, 1971, in the Isle of Wight County Circuit Court, Virginia.

Spoonhour, Sr., Garnet Eugene, R.R. #2, Box 245, Fayetteville, Pennsylvania, convicted on January 15, 1965, in the Court of Quarter Sessions, Oyer and Terminer, Franklin County, Pennsylvania.

Staley, James W., 290 E. Truman Avenue, Salt Lake City, Utah, convicted on February 18, 1954, in the Circuit Court, Winnebago County, Illinois; on August 24, 1964, in the Superior Court, County of Siskiyou, California; and on August 28, 1965, in the District Court of Josephine County, Oregon.

Steen, Richard Dale, Route 1, Box 175-A2, Salem, Virginia, convicted on April 24, 1972, in the Circuit Court for the City of Salem, Virginia.

Stewart, Orie T., 1717 14th Court, Phenix City, Alabama, convicted on April 20, 1964, in the United States District Court, Middle District of Alabama.

Terry, Jimmy L., 307 Highland Street, Bristol, Tennessee, convicted on November 22, 1965, in the Criminal Court of Sullivan County, Tennessee.

Thurman, Clarence G., 718 Brown Street, Lafayette, Indiana, convicted on July 6, 1932, in the Circuit Court of Warren County, Indiana.

Walker, Jr., Preston Roy, 3133 Ninth Street, Rock Island, Illinois, convicted on March 23, 1955, in the District Court of Scott County, Iowa; on March 18, 1958, in the District Court of Polk County, Iowa; and on January 22, 1968, in the Fourteenth Judicial Circuit Court, Rock Island County, Illinois.

Ward, Warren W., 11002 Sagewillow, Houston, Texas, convicted on January 3, 1966, in the 177th District Court, Harris County, Texas.

Whalen, Frank Eugene, 2903 Old Selma Road, Montgomery, Alabama, convicted on February 25, 1959, in the Circuit Court, Fifteenth Circuit, Montgomery County, Alabama, and on November 2, 1959, in the Circuit Court, Fourteenth Circuit, Autauga County, Alabama.

Worthen, Billie T., 5461 S.W. Dillard Highway No. 36, Roseburg, Oregon, convicted on April 17, 1972, in the Circuit Court of the State of Oregon in and for the County of Coos.

Signed at Washington, D.C. this 11th day of December, 1974.

REX D. DAVIS,
Director, Bureau of
Alcohol, Tobacco and Firearms.

[FR Doc.74-30219 Filed 12-26-74; 8:45 am]

Internal Revenue Service

[Order No. 110 (Rev. 1)]

ASSISTANT COMMISSIONER (ADMINISTRATION) AND REGIONAL COMMISSIONERS

Delegation of Authority; Overpayments of Pay and Allowances; Waivers of Claims

Pursuant to authority vested in the Commissioner of Internal Revenue by Treasury Department Order No. 214 (Revision 2), dated August 19, 1974, the authority to act on requests for waivers of claims against employees (or former employees) arising from overpayments of pay and allowances, other than travel and transportation allowances and relocation expenses and allowances payable under 5 U.S.C. 5724a, by the Internal Revenue Service is hereby delegated as follows:

A. The Assistant Commissioner (Administration) is authorized:

(1) To approve or disapprove, in whole or in part, requests for waivers concerning present or former National Office employees, (including the IRS Data Center and the National Computer Center) in amounts not exceeding \$500.00; and

(2) To recommend to the Comptroller General the approval or disapproval, in whole or in part, of requests for waivers concerning present or former IRS employees in amounts exceeding \$500.00.

B. Regional Commissioners are authorized to approve or disapprove, in whole or in part, requests for waivers concerning present or former regional (including Regional Counsel and Regional Inspector) employees in amounts not exceeding \$500.00.

The authority delegated herein may not be redelegated.

Delegation Order No. 110, issued May 9, 1969, is superseded.

Dated: December 13, 1974.

Effective: December 13, 1974.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.74-30132 Filed 12-26-74; 8:45 am]

Office of the Secretary

[Treasury Dept. Order No. 234]

PUBLIC SALE OF GOLD Directive

By virtue of the authority vested in me as Secretary of the Treasury by section 9 of the Gold Reserve Act of 1934 (31 U.S.C. 733) and the Reorganization Plan No. 26 of 1950, I hereby authorize and direct the Under Secretary for Monetary Affairs, Jack Bennett, to take all necessary and proper measures, including direction of other officials of the Department and utilization of the services of other government agencies, for the pub-

lic sale of 2,000,000 fine troy ounces of gold on January 6, 1975.

Dated: December 18, 1974.

[SEAL] WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.74-30111 Filed 12-26-74; 8:45 am]

[Treasury Dept. Order No. 233-2]

FEDERAL ENERGY ADMINISTRATION

Delegation of Authority

Cost of Living Council Order No. 47, as amended, generally delegated to the Administrator of the Federal Energy Office price stabilization authority, under the Economic Stabilization Act of 1970, as amended, with respect to petroleum products and crude oil. Executive Order No. 11790 of June 25, 1974 (39 FR 23185), abolished the Federal Energy Office and all of its regulatory powers were transferred to the Federal Energy Administration.

However, by virtue of paragraphs 3 and 5 of Cost of Living Council Order No. 47, as amended, the Council retained the authority to make determinations and take actions with respect to Phase II, Phase III, and Phase IV compliance and enforcement cases received by the Council from the Internal Revenue Service prior to December 21, 1973. Under Executive Order 11788 of June 18, 1974 (39 FR 22113), the Secretary of the Treasury assumed the authority retained by the Cost of Living Council. The Secretary in turn delegated that authority to the Office of Economic Stabilization by Treasury Department Order No. 233, dated June 28, 1974 (39 FR 24522).

It is the purpose of this order to ensure a continuing compliance and enforcement effort with respect to those Phase III and Phase IV cases involving price stabilization of petroleum and crude oil products received by the Cost of Living Council prior to December 21, 1973, and after June 13, 1973, but which have not yet been finally resolved by the Office of Economic Stabilization.

Therefore, by virtue of the authority delegated to me by paragraph 6 of Treasury Department Order No. 233, June 28, 1974 (39 FR 24522), it is hereby ordered as follows:

1. The authority formerly retained by the Cost of Living Council under the provisions of paragraphs 3 and 5 of Cost of Living Council Order No. 47, as amended, insofar as they relate to Phase III and IV of the Cost of Living Council regulations, is hereby delegated to the Administrator of the Federal Energy Administration.

2. The Administrator may exercise the authority delegated by this order as though such authority had originally been delegated by Cost of Living Council Order No. 47, as amended.

3. This order is effective immediately.

Dated: December 18, 1974.

[SEAL] WARREN F. BRECHT,
Assistant Secretary
for Administration.

[FR Doc.74-30110 Filed 12-26-74; 8:45 am]

[Dept. Circular, Public Debt Series—No. 18-74]

7½ PERCENT TREASURY NOTES OF SERIES D-1979

Dated November 6, 1974, With Interest
From January 7, 1975, Due May 15,
1979

DECEMBER 23, 1974.

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders at a price not less than 99.01 percent of their face value for \$1,250,000,000 or thereabouts, of notes of the United States, designated 7½ percent Treasury Notes of Series D-1979. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Standard time, Monday, December 30, 1974, under competitive and noncompetitive bidding, as set forth in Section III hereof.

II. DESCRIPTION OF NOTES

1. The notes now offered will be identical in all respects with the 7½ percent Treasury Notes of Series D-1979 issued pursuant to Department Circular, Public Debt Series—No. 12-74, dated October 15, 1974, except that interest will accrue from January 7, 1975. With this exception the notes are described in the following quotation from that circular:

1. The notes will be dated November 6, 1974, and will bear interest¹ from that date, payable on a semiannual basis on May 15, 1975, and November 15, 1975, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature May 15, 1979, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

¹ On October 23, 1974, the Secretary of the Treasury announced that the interest rate on the notes would be 7½ percent per annum.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Standard time, Monday, December 30, 1974. Each tender must state the face amount of notes bid for, which must be \$1,000 or a multiple thereof, and the price offered, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a price. In the case of competitive tenders, the price must be expressed on the basis of 100, with two decimals, e.g., 100.00. Tenders at a price less than 99.01 will not be accepted. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed \$500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account. Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowing thereon, and Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and price range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those at the highest prices will be accepted to the extent required to attain the amount offered. Tenders at the lowest accepted price will be prorated if necessary. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept more or less than the \$1,250,000,000 offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for \$500,000 or less without stated price from any one bidder

will be accepted in full at the average price² (in two decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue at a specific rate or price, until after 1:30 p.m., Eastern Standard time, Monday, December 30, 1974.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own account.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids together with \$13.45565 per \$1,000 for accrued interest from November 6, 1974, to January 7, 1975, must be made or completed on or before Tuesday, January 7, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash, in other funds immediately available to the Treasury by January 7, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such bank or at the Treasury no later than: (1) Friday, January 3, 1975, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in case of the Treasury, or (2) Tuesday, December 31, 1974, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Where full payment is not completed on time, the allotment will be canceled and the deposit with the tender up to 5 percent of the amount of notes allotted will be subject to forfeiture to the United States. Payment may not be made through Tax and Loan Accounts. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, pre-

² Average price may be at, or more or less than 100.00.

scribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.74-30260 Filed 12-26-74; 8:45 am]

(DEPT. CIRCULAR, Public Debt Series—No. 17-74)

8 PERCENT TREASURY NOTES OF SERIES H-1976

Dated April 9, 1974, with Interest From
January 9, 1975; Due March 31, 1976

DECEMBER 23, 1974.

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders at a price not less than 99.76 percent of their face value for \$750,000,000, or thereabouts, of notes of the United States, designated 8 percent Treasury Notes of Series H-1976. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Standard time, Thursday, January 2, 1975, under competitive and noncompetitive bidding, as set forth in Section III hereof.

II. DESCRIPTION OF NOTES

1. The notes now offered will be identical in all respects with the 8 percent Treasury Notes of Series H-1976 issued pursuant to Department Circular, Public Debt Series—No. 4-74, dated March 21, 1974, except that interest will accrue from January 9, 1975. With this exception the notes are described in the following quotation from that circular:

1. The notes will be dated April 9, 1974, and will bear interest¹ from that date, payable on a semiannual basis on September 30, 1974, March 31 and September 30, 1975, and March 31, 1976. They will mature March 31, 1976, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be

made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Standard time, Thursday, January 2, 1975. Each tender submitted must be in the minimum amount of \$5,000. Tenders over \$5,000 must be in multiples of \$1,000. Each tender must state the price offered, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a price. In the case of competitive tenders, the price must be expressed on the basis of 100, with two decimals, e.g., 100.00. Tenders at a price less than 99.76 will not be accepted. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed \$500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and price range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those at the highest prices will be accepted to the extent required to attain the amount offered. Tenders at the lowest accepted price will be prorated if necessary. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept more or less than the

\$750,000,000 offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for \$500,000 or less without stated price from any one bidder will be accepted in full at the average price² (in two decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue at a specific rate or price, until after 1:30 p.m., Eastern Standard time, Thursday, January 2, 1975.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own account.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids together with \$22.19780 per \$1,000 for accrued interest from September 30, 1974, to January 9, 1975, must be made or completed on or before Thursday, January 9, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash, in other funds immediately available to the Treasury by January 9, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such bank or at the Treasury no later than: (1) Monday, January 6, 1975, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in case of the Treasury, or (2) Thursday, January 2, 1975, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Where the full payment is not completed on time, the allotment will be canceled and the deposit with the tender up to 5 percent of the amount of notes allotted will be subject to forfeiture to the United States. Payments may not be made through Tax and Loan Accounts. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery

² Average price may be at, or more or less than 100.00.

¹ On March 27, 1974, the Secretary of the Treasury announced that the interest rate on the notes would be 8 percent per annum.

of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.74-30261 Filed 12-26-74;8:45 am]

DEPARTMENT OF DEFENSE

Defense Nuclear Agency

STEMMING AND CLOSURE PANEL

Meeting

DECEMBER 18, 1974.

The next meeting of the Stemming and Closure Panel (SACPAN), sponsored by the Defense Nuclear Agency (DNA), will be held 9-10 January 1975. SACPAN members will be asked to provide advice on on-going and future DNA underground test programs. The meeting will be closed to the public.

REID R. SAMUELSON,
Executive Secretary, SACPAN.

[FR Doc.74-30201 Filed 12-26-74;8:45 am]

Office of the Secretary

DEFENSE PANEL ON INTELLIGENCE

Closed Meeting

The Fourth meeting of the Defense Panel on Intelligence will be held 9 January 1975 in the Pentagon, Office of the Secretary of Defense, and in the interest of national security the meeting shall be closed to the public under the provisions of section 552(b)(1) of title 5, United States Code, since classified material will be discussed at all sessions of the meeting. Subject matter is to assess the cumulative effect of actions which have been taken to improve intelligence within the Department of Defense in response to recommendations of the Blue Ribbon Defense Panel and to the President's memorandum of 5 November 1971.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

DECEMBER 23, 1974.

[FR Doc.74-30241 Filed 12-26-74;8:45 am]

DEFENSE SCIENCE BOARD VULNERABILITY TASK FORCE

Advisory Committee Meeting

The Defense Science Board Vulnerability Task Force will meet in closed session on 28-29 January 1975 at the Air Force Weapons Laboratory, Kirkland Air Force Base, New Mexico.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director, Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will provide an assessment of the requirement for large Electromagnetic Pulse Simulators to verify the survivability of aircraft systems in environments produced by the detonation of nuclear weapons.

In accordance with Pub. L. 92-463, section 10, paragraph (d) it has been determined that this meeting concerns matters listed in section 552(b) of title 5 of the United States code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a) (1) and (a) (3) of section 10 Pub. L. 92-463 are concerned.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

DECEMBER 23, 1974.

[FR Doc.74-30180 Filed 12-26-74;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON ACCURACY

Advisory Committee Meeting

The Defense Science Board Task Force on Accuracy will meet in closed session on January 13 at the ARPA offices (1400 Wilson Blvd., Arlington, Va.) and January 14 at the Pentagon, Arlington, Va.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The task Force will undertake a review of the accuracy of U.S. and Soviet strategic offensive systems to determine the confidence that can be placed in our present estimates of accuracy and it will recommend an R&D program which can lead to improved accuracy.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552(b) of title 5 of the United States code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a) (1) and (a) (3) of section 10, Pub. L. 92-463 are concerned.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

DECEMBER 23, 1974.

[FR Doc.74-30181 Filed 12-26-74;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON "TRAINING TECHNOLOGY"

Advisory Committee Meeting

A Defense Science Board Task Force on "Training Technology" will meet in closed session on 20-22 January 1975 at the Institute for Defense Analyses, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide

long range guidance in these areas to the Department of Defense.

The Task Force will provide an evaluation of the current effectiveness of DoD programs and management in the R&D area of Training Technology to serve as the basis for DoD policy decisions to reduce costs and increase effectiveness and efficiency of DoD Training.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552(b) of title 5 of the United States code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a) (1) and (a) (3) of section 10, Pub. L. 92-463 are concerned.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

DECEMBER 23, 1974.

[FR Doc.74-30182 Filed 12-26-74;8:45 am]

DEPARTMENT OF JUSTICE

ACTION TO ENJOIN DISCHARGE OF POLLUTANTS

Proposed Consent Judgment

In accordance with Departmental Policy, 28 CFR § 50.7, 38 FR 19029, Notice is hereby given that on December 3, 1974, a proposed consent decree in United States v. Michaelian, et al. was lodged with the United States District Court for the Southern District of New York. The proposed decree prescribes measures to substantially eliminate the flow of leachate from the Westchester County landfill at Croton Point, Westchester County, New York.

The Department of Justice will receive on or before January 27, 1975, written comments relating to the proposed judgment. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530 and refer to United States v. Michaelian, et al., D.J. Ref. 90-5-1-268.

The proposed consent decree may be examined at the office of the United States Attorney, Foley Square, New York, New York 10007, at the Region II Office of the Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007 and at the Pollution Control Section, Land and Natural Resources Division, Department of Justice, Ninth Street and Pennsylvania Avenue, NW, Washington, D.C. 20530. A copy of the proposed consent decree may be obtained by applying in person or by mail to the Pollution Control Section. In requesting a copy, please enclose a check in the amount of \$0.80 (10 cents per page reproduction charge) payable to the Treasurer of the United States.

WALLACE H. JOHNSON,
Assistant Attorney General,
Land and Natural Resources
Division.

[FR Doc.74-30215 Filed 12-26-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Colorado 22237]

COLORADO

Notice of Application

DECEMBER 19, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 USC 185), Western Slope Gas Co., P.O. Box 840, Denver, Colorado 80201, has applied for a right of way for two (2) four inch natural gas gathering pipelines across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO
T. 3 S., R. 101 W.,
Sections 5 and 6

The pipelines will connect the continental Douglas Creek No. 19 and No. 20 natural gas wells to applicant's West Douglas Natural Gas Field Gathering System. The purpose of this project is to enable applicant to meet the increasing demands for adequate supplies of natural gas in the Grand Junction, Colorado market area to meet residential, commercial and industrial requirements.

The purposes of this notice are: To inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application, and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, within thirty days from the date of this notice.

EVERETT K. WEEDIN,
Chief, Branch of
Land Operations.

[FR Doc. 74-30214 Filed 12-26-74; 8:45 am]

[NM 24024]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Co. has applied for a 2-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 26 N., R. 6 W.,
Sec. 1, Lot 1.

This pipeline will convey natural gas across .054 miles of national resource lands in Rio Arriba County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 74-30203 Filed 12-26-74; 8:45 am]

[NM 24025]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for a 4-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 11 W.,
Sec. 34, Lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

This pipeline will convey natural gas across .165 mile of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 74-30204 Filed 12-26-74; 8:45 am]

[NM 24026]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for two 4½-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 26 E.,
Sec. 9, W $\frac{1}{2}$ SE $\frac{1}{4}$.

These pipelines will convey natural gas across .287 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 74-30205 Filed 12-26-74; 8:45 am]

[NM 24027]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corp. has applied for four 4½-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 5 W.,
Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 32 N., R. 8 W.,
Sec. 11, Lots 5, 6, 10, 11, 12, 15;
Sec. 12, Lot 9.
T. 31 N., R. 11 W.,
Sec. 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

These pipelines will convey natural gas across 1.983 miles of national resource lands in Rio Arriba and San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 74-30206 Filed 12-26-74; 8:45 am]

[NM 24052]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 24 E.,
Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

NOTICES

This pipeline will convey natural gas across .038 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30207 Filed 12-26-74; 8:45 am]

[NM 24000]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for two 4½-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 20 S., R. 29 E.,
Sec. 16, SE¼SW¼, W½ SE¼;
Sec. 21, E½NW¼.

These pipelines will convey natural gas across .864 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30208 Filed 12-26-74; 8:45 am]

[NM 24002]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 11 W.,
Sec. 5, SE¼NE¼.

This pipeline will convey natural gas across .018 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30209 Filed 12-26-74; 8:45 am]

[NM 24051]

NEW MEXICO

Notice of Application

DECEMBER 18, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 22 S., R. 26 E.,
Sec. 27, SW¼SW¼;
Sec. 28, SW¼NW¼, N¼SW¼, NW¼SE¼;
Sec. 29, SE¼NE¼;
Sec. 34, W½NW¼ and N¼SW¼.

This pipeline will convey natural gas across 1.988 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30210 Filed 12-26-74; 8:45 am]

[NM 23955]

NEW MEXICO

Notice of Application

DECEMBER 18, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Natural Gas Pipeline Co. of America has applied for a 4-inch natural gas pipeline and meter site right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 20 S., R. 25 E.,
Sec. 7, NE¼SW¼;
Sec. 8, N¼SW¼.

This pipeline will convey natural gas across .662 mile of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30211 Filed 12-26-74; 8:45 am]

[NM 23999]

NEW MEXICO

Notice of Application

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 10 S., R. 29 E.,
Sec. 12, W½W½;
Sec. 13, W½NW¼;
Sec. 23, N¼SE¼ and SW¼SE¼.

This pipeline will convey natural gas across 1.933 miles of national resource lands in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30212 Filed 12-26-74; 8:45 am]

[NM 23953, 24003]

NEW MEXICO

Notice of Applications

DECEMBER 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for one 4½-inch and one 2¾-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 28 N., R. 9 W.,
Sec. 9, Lots 3, 4, SE¼NW¼.
T. 29 N., R. 11 W.,
Sec. 9, NE¼SW¼.

These pipelines will convey natural gas across .413 mile of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30213 Filed 12-26-74;8:45 am]

[S 5597]

CALIFORNIA

Notice of Application

DECEMBER 18, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), the Calnev Pipeline Company has applied for a 14" liquid fuel pipeline right-of-way across the following described public lands:

SAN BERNARDINO BASE AND MERIDIAN
CALIFORNIA

- T. 11 N., R. 4 E.,
Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 11 N., R. 5 E.,
Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$; Lots 1 & 2 of
NW $\frac{1}{4}$, Lot 2 of SW $\frac{1}{4}$.
T. 12 N., R. 6 E.,
Sec. 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 12 N., R. 7 E.,
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$; Lots
1 & 2 of NW $\frac{1}{4}$, N $\frac{1}{2}$ of Lot 2 of SW $\frac{1}{4}$;
Portions of unsurveyed land to the east
of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11 and portions
of unsurveyed land northeast of Sec. 11.
T. 13 N., R. 8 E.,
Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, portions of unsurveyed lands;
Sec. 20, portions of unsurveyed lands;
Sec. 21, portions of unsurveyed lands;
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 30, portions of unsurveyed lands.
T. 13 N., R. 9 E.,
Sec. 5, W $\frac{1}{2}$ Lot 2 of NW $\frac{1}{4}$;
Sec. 6, Lot 1 & E $\frac{1}{2}$ Lot 2 of NE $\frac{1}{4}$, Lot 1 &
S $\frac{1}{2}$ Lot 2 of SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, N $\frac{1}{2}$ Lot 2 of NW $\frac{1}{4}$.

- T. 14 N., R. 9 E.,
Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 14 N., R. 10 E.,
Sec. 5, Lot 2 & W $\frac{1}{2}$ Lot 1 of NE $\frac{1}{4}$, E $\frac{1}{2}$ Lot 1
of NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, N $\frac{1}{2}$ Lot 2 of SW $\frac{1}{4}$, S $\frac{1}{2}$ Lots 1 & 2 of
NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 15 N., R. 10 E.,
Sec. 13, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 15 N., R. 11 E.,
Sec. 1, Lot 2 & E $\frac{1}{2}$ Lot 3 of NE $\frac{1}{4}$, Lot 1 &
E $\frac{1}{2}$ Lot 2 of NW $\frac{1}{4}$;
Sec. 2, E $\frac{1}{2}$ Lot 1 of NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 18, S $\frac{1}{2}$ Lots 1 & 2 of NW $\frac{1}{4}$, N $\frac{1}{2}$ Lots
1 & 2 of SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 15 N., R. 12 E.,
Sec. 6, W $\frac{1}{2}$ Lot 3 of NW $\frac{1}{4}$;
T. 16 N., R. 12 E.,
Sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$; Lot 1 & S $\frac{1}{2}$
Lot 2 of SW $\frac{1}{4}$;
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 16 N., R. 12 E.,
Sec. 24, Lots 1 & 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
T. 16 N., R. 13 E.,
Sec. 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Lot 2;
Sec. 15, Lots 1, 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, NW $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5, 6,
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 18, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Lot 9, SE $\frac{1}{4}$
SW $\frac{1}{4}$;
Sec. 19, Lot 3.
T. 15 N., R. 14 E.,
Sec. 21, Lots 1, 2, 5, 6, 7, 8, 9, & 10;
Sec. 22, Lots 1, 2, 3, 4.
T. 16 N., R. 14 E.,
Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 16 N., R. 15 E.,
Sec. 6, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1, 2,
SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 7, Lots 1, 2, 3, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

- T. 17 N., R. 15 E.,
Sec. 16, Lots 1, & 2;
Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.

This pipeline will convey liquid fuel across 67.97 miles of national resource lands in San Bernardino County, California.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the State Office, Bureau of Land Management, Federal Office Building, Room E-2841, 2800 Cottage Way, Sacramento, California 95825.

WALTER F. HOLMES,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.74-30118 Filed 12-26-74;8:45 am]

OUTER CONTINENTAL SHELF RESEARCH MANAGEMENT ADVISORY BOARD

Notice and Agenda for Meeting

This notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Pub. L. No. 92-463, 5 U.S.C. App. I and the Office of Management and Budget Circular No. A-63, Revised.

The Outer Continental Shelf Research Management Advisory Board will meet during the period 9:30 a.m. to 4 p.m., Rooms 7000 A and B, Department of the Interior, January 16 and 17. The meeting will cover the following agenda items:

1. Approval of Minutes of October 3 and 4 meeting.
2. Environmental monitoring plans for Mississippi-Alabama-Florida (MAFLA) OCS.
3. Progress report on environmental benchmark data programs in Gulf of Alaska and South Texas.
4. Report on the Mid-Atlantic OCS environmental workshop meeting and initial planning for bench-mark data gathering in the Mid-Atlantic OCS.
5. Report on Southern California OCS environmental workshop meeting and status of planning for bench-mark data gathering in that area.
6. Progress in developing a comprehensive plan for collection of environmental baseline data on the Alaska OCS.
7. Discussion of the overall Bureau of Land Management Environmental Studies Program.
8. Report of Ad Hoc Committee on development of guidelines for environmental data collection.
9. Report of Ad Hoc Committee on special committee needs of the OCS Research Management Advisory Board.
10. Other business.

The meeting is open to the public and written or oral statements concerning the program content are welcome.

Those who expect to attend should make this intention known not later than January 10 to the Board's Chairman:

Frank E. Clarke, Senior Scientist, U.S. Geological Survey, Room 4443, Interior Building, Washington, D.C. 20240, 202/343-3888.

Written statements should also be submitted to the Chairman not later than January 10.

Dated: December 23, 1974.

GEORGE L. TURCOTT,
Associate Director,
Bureau of Land Management.

JACK HORTON,
Assistant Secretary of the Interior

[FR Doc. 74-30287 Filed 12-26-74; 8:45 am]

**National Park Service
MIDWEST REGIONAL ADVISORY
COMMITTEE**

Notice is hereby given in accordance with Public Law 92-463 that a meeting will be held at 1:30 p.m., January 16 in Room 242 of the Nebraska Union at 14th and R Streets in Lincoln, Nebraska, and at 8:30 a.m., January 17 in the Flanagan Room of the Hilton Hotel, 16th and Dodge Streets, Omaha.

The Committee was established pursuant to Public Law 91-383 to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on programs and problems pertinent to the Midwest Region of the National Park Service.

The members of the Committee are:

Honorable Robert W. Berrey III (Chairman)
Mrs. Mildred Curtis
Mr. Norman G. Duke
Mr. John J. Franke, Jr.
Mr. Glenn C. Gregg
Mr. Fred D. Hartley
Mr. Lewis W. Jones
Mr. William L. Lieber
Mr. Erwin D. Sias

Matters to be considered at this meeting include:

1. The National Park Service program of historic preservation and archeology as it applies to the Midwest Region.
2. Status report on public input activities in the region.
3. Bicentennial activities.

The meeting is open to the public. It is expected that about 50 persons, in addition to the Committee, can attend. Interested persons may make presentations to the Committee or file written statements. Such requests should be made to the official listed below before 1:30 p.m., January 16.

Further information concerning this meeting may be obtained from Bill W. Dean, Associate Regional Director, Cooperative Activities, Midwest Region, National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102, telephone Area Code 402 221-3481. Minutes of the meeting will be available for public inspection and copying four weeks after the meeting at the Midwest Regional

Office, National Park Service, 1709 Jackson Street, Omaha, Nebraska.

Dated: December 17, 1974.

ROBERT L. GILES,
Acting Regional Director, Mid-
west Region National Park
Service.

[FR Doc. 74-30054 Filed 12-26-74; 8:45 am]

Office of the Assistant Secretary, Land and
Water Resources

**WATER RESOURCES; USE AND
MANAGEMENT**

Policy Statement

Notice is hereby given of a proposal to adopt a new policy concerning the use and management of water resources by persons applying for certain contracts, leases, permits, and other agreements for natural resource use under the jurisdiction of the Department of the Interior. The proposed policy and guidelines appear below. Written comments and statements will be accepted in the Office of the Assistant Secretary, Land and Water Resources, Department of the Interior, Washington, D.C. 20240, until March 3, 1975.

The Department of the Interior has responsibility for managing a considerable portion of the Nation's renewable and nonrenewable resources. Water is a key factor in the management of all these resources and is rapidly becoming a major determinant in assessment of energy development alternatives. The Department recognizes its responsibility for conserving water resources and protecting their quality. This responsibility must be exercised in a timely manner and in accord with optimal use of this limited resource. It is, therefore, the policy of this Department that:

(a) Leases, contracts, permits, and other agreements concerning resource use to which the Department is a party shall be structured as practicable to promote effective management and efficient use of water, to conserve the quantity and quality of the water resource involved, and to protect related aspects of the environment.

(b) Persons holding leases, contracts, permits, and other agreements from the Department which will have a significant impact on water resources shall submit, as part of their use plans, a description of the proposed management procedures affecting water resources. Guidelines for development of such procedures are provided following this policy statement.

(c) Institutional arrangements with the States will be sought to facilitate coordination with State entities having regulatory authority for water resources use and protection.

(d) The need for efficient use of water will be taken into account in discharging the Department's trust responsibilities for resources on Indian lands.

**OUTLINE OF GUIDELINES FOR WATER
MANAGEMENT PROCEDURES**

In the issuance of contracts, leases, permits, and other agreements to use land or water resources under the jurisdiction of the Department of the Interior, the authorized officer of the Department may, to the extent permitted by law, specify appropriate terms and conditions relating to management of water affected by the agreement. For the purpose of aiding in the determinations as to whether an agreement should be made and, if so, what its terms and conditions should be, and for other purposes described below, the applicant, when required by regulation of the Secretary or by specific request of his delegate, must submit with his application details concerning his proposed water management procedures. A statement of detailed management procedures will be required for applicants whose proposals could have a significant effect, in the opinion of the authorized officer of the Department, on the quality and quantity of water available for uses and purposes other than those described in the application.

The following guidelines apply to the water management procedures to be included as a part of the use plan required by the Department of the Interior as an integral part of any major lease, construction permit, or other agreement. Such plans will enable the Secretary or his designee to administer the programs and responsibilities of the Department so as to conserve water resources through full consideration of viable alternative uses of water and to assure more efficient use of water in proposed operations. These procedures, moreover, will assure that water conservation considerations are taken into account in the Department's implementation of the National Environmental Policy Act (NEPA) and the Water Resources Council's Principles and Standards for Planning Water and Related Land Resources, approved by the President on September 5, 1973.

Applicants shall address the following considerations in developing water management procedures for effective and efficient use of water and in the statements required to be submitted to the Department.

1. The sources to be used in the proposed activity, whether surface or ground water and whether self-supplied or from a government or other organized entity, including information on quantity and quality of water supply.

2. Water rights owned or applied for by the applicant and by any and all subsidiaries or otherwise owned or controlled entities which hold such water or water rights.

3. Expected significant changes in quantity and quality of water through applicants' planned use involving Federal lands or resources under Interior Department jurisdiction.

4. The justification for the water quality and quantity proposed to be used.

5. The method of water use and the amount of water consumed, returns to streams, and the need for treatment before return or disposal.

6. Methods employed for conservation of water use in the proposed activity, including management and structural measures for most efficient water use and recycling or reuse of water and return flow standards.

7. Alternatives considered to reduce or minimize fresh water demand, such as air cooling in lieu of water cooling, utilization of poor quality water, or other technology.

8. The compatibility of the method and the alternatives of water use with the draft environmental impact statement required by the National Environmental Policy Act.

9. The compatibility of the water management procedures with Federal water quality control criteria and the requirements of the discharge permit system of the Federal Water Pollution Control Act of 1973, Pub. L. 92-500, section 401.

10. The compatibility of water management procedures with overall State, regional, and national water development plans.

Dated: December 18, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior
for Land and Water Resources.

[FR Doc.74-30158 Filed 12-26-74; 8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

ROCK CREEK ADVISORY COMMITTEE

Notice of Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on January 21, 1975. Meeting place will be in Drummond, Montana, in the Catholic Church basement.

The purpose of this meeting is to complete Committee review of the planning processes and begin the critique of management options in Upper Rock Creek.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public, or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: December 17, 1974.

ROBERT W. DAMON,
Forest Supervisor,
Deerlodge National Forest.

[FR Doc.74-30117 Filed 12-26-74; 8:45 am]

EL YUNQUE PEAK ELECTRONIC SITE

Notice of Negative Determination

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969; Part 1500 6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 8411.43 of the Forest Service Guidelines (39 FR 38249) October 30, 1974: The Forest Service, U.S. Department of Agriculture gives notice that an environmental statement is not being prepared for the El Yunque Peak Electronic Site, Caribbean National Forest, Puerto Rico.

The environmental analysis does not indicate high controversy, or significant adverse local, regional or national effect on quality of the human environment as a result of the proposed policy for management of this site. As a result of these findings, Mr. Leonard A. Lindquist, Forest Supervisor of the Caribbean National Forest, P.O. Box AQ, Rio Piedras, Puerto Rico 00928, has determined that the preparation and review of an environmental statement is not required.

The proposal concerns a policy for managing an existing 25 acre electronic uses site. The policy establishes a zone to be kept free of structures in order to preserve scenic values. Zones are established to provide separation between radio receivers and transmitters, and a policy regulating future developments is established. A deadline of December 31, 1979 is set for removal of non-conforming electronic uses.

The environmental analysis report and written determination is available for inspection during regular working hours at the following location:

Institute of Tropical Forestry, University of Puerto Rico Agricultural Experiment Station Grounds, Rio Piedras, Puerto Rico 00928.

No administrative action on implementation of the policy will be taken until January 31, 1975.

Dated: December 12, 1974.

DAVID F. JOLLY,
Regional Environmental Co-ordinator,
Southern Region.

[FR Doc.74-30192 Filed 12-26-74; 8:45 am]

FALL CANKERWORM CONTROL

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, and Virginia Division of Forestry, have prepared a draft environmental statement for Fall cankerworm control in Virginia. (USDA-FS-SA-DES (Adm) FY-75-1.)

This environmental statement is an analysis of impacts associated with the proposed suppression of fall cankerworm infestations on 514 acres of wooded residential area in Prince William County, Virginia. Subjects discussed are the impacts of aerial applications of the bacterial insecticide, *Bacillus thuringiensis*, and description of techniques and benefits of suppression.

The draft environmental statement was filed with CEQ on December 19, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 12th St. & Independence Ave., SW, Washington, D.C. 20250.

USDA, Forest Service, Division of Forest Pest Control, 1621 N. Kent St., Room 1205-B, Arlington, Va. 22209.

A limited number of single copies are available upon request to:

USDA, Forest Service, Division of Forest Pest Management, 1720 Peachtree St., Room 711, Atlanta, Ga. 30309.

Virginia Division of Forestry, P.O. Box 3758, McCormick Road, Charlottesville, Virginia 22903.

Copies of the environmental statement have been sent to various Federal, State and Local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Sidney Weitzman, Area Director, 1720 Peachtree St. NW., Atlanta, Georgia 30309. Comments must be received by February 17, 1975 in order to be considered in the preparation of the final environmental statement.

CARTER P. OUALLS

Acting Area Director, Southeastern Area.

[FR Doc.74-30191 Filed 12-26-74; 8:45 am]

Rural Electrification Administration CHUGACH ELECTRIC ASSOCIATION, INC.

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration intends to prepare a Draft Environmental Impact Statement in accordance with section 102(2)(c) of the National Environmental Policy Act of 1969 in connection with the release of loan funds to Chugach Electric Association, Inc., Gambell at Eighth Street, Anchorage, Alaska 99501. The statement will cover approximately 23 miles of new 230 kV transmission line from the Chugach's Teeland substation to Reed substation of the Alaska Power Administration. The Teeland substation site is near the east side of Knik road about 9 miles southwest of Wasilla, Alaska. Reed substation is located 1/4 mile southeast of the Glen Highway, approximately 1 mile east of the Village of Eklutna.

Interested persons are invited to submit comments which may be helpful in preparing the Draft Environmental Impact Statement.

Comments should be forwarded to the Assistant Administrator—Electric, Rural Electrification Administration, Washington, D.C. 20250, with a copy to the Chugach Electric Association, Inc., whose address was given above. Additional information may be obtained at

Chugach's office during regular business hours. Dated at Washington, D.C. the 18 day of December 1974.

DAVID A. HAMIL,
Administrator, Rural
Electrification Administration.

[FR Doc. 74-30057 Filed 12-26-74; 8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business
Administration

METHODIST HOSPITAL, ET AL

Applications for Duty-Free Entry of
Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 16, 1975.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00233-33-90000. Applicant: Methodist Hospital, 1265 Union Avenue, Memphis, Tennessee 38104. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to study the brain, its coverings, and the eyes for detecting and localizing disease processes. The article will also be used for teaching purposes in Residency programs in Radiology, Neurosurgery, Ophthalmology, Pathology. Application received by Commissioner of Customs: November 22, 1974.

Docket number: 75-00234-33-46500. Applicant: Veterans Administration Hospital, General Medical Research 4500 South Lancaster Road, Dallas, Texas 75216. Article: Ultramicrotome, LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for three dimensional sectioning of biological membranes and related structures which will be examined to understand the molecular organization in terms that will explain their cellular functions. Application received by Commissioner of Customs: November 26, 1974.

Docket number: 75-00235-33-46500. Applicant: Veterans Administration Hospital, 500 North Foothill Blvd., Salt

Lake City, Utah 84113. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of the mechanism of tumor cell killing by macrophages. The article will also be used in the course Principles and Techniques of Electron Microscopy in which students will be instructed in the proper use of the article. Application received by Commissioner of Customs: November 26, 1974.

Docket number: 75-00237-33-46500. Applicant: CMDNJ-Rutgers Medical School, Anatomy Department, P.O. Box 101, Piscataway, New Jersey 08854. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: This article is intended to be used for ultrastructural investigation of 1) sensory ganglia in tissue culture exposed to a variety of chemicals and 2) spinal cultures treated with sera and other fluids from patients with various neurological diseases including Multiple Sclerosis, Amyotrophic Lateral Sclerosis and other motor neuron diseases. Application received by Commissioner of Customs: November 26, 1974.

Docket number: 75-00238-33-46500. Applicant: Fred Hutchinson Cancer Research Center, 1102 Columbia Street, Seattle, Washington 98104. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used for studies of a wide variety of biological specimens ranging from human normal control material to pathologic (especially tumors) samples collected from surgery or biopsies. In addition, the virologist will be examining cell culture and cut specimens for evidence of virus particles. The article will also be used for instruction for technicians, graduate students and staff in the techniques of electron microscopy. Application received by Commissioner of Customs: November 26, 1974.

Docket number: 75-00239-33-46070. Applicant: St. Louis University Medical School, Department of Pathology, 1402 South Grand, St. Louis, Mo. 63104. Article: Scanning Electron Microscope, Model JSM-35U. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for a variety of specimens from patients with diseases for diagnostic and investigational purposes and for studies of various experimental models of human diseases as a means toward a better understanding of etiology, pathogenesis and control. These studies include:

- (1) Diagnostic studies of human renal and hepatic biopsies.
- (2) Diagnostic studies of human lung tissue and of experimental animal lung with emphasis on oxygen toxicity in the newborn.
- (3) Diagnostic studies of human blood and bone marrow specimens.
- (4) Studies of human tissue upon removal in surgery and freezing in cold stage accessory using low accelerating voltage to reduce specimen damage.
- (5) Studies of lung inclusions using x-ray analyzer for elemental analysis of trace elements contained in said inclusions.

In addition, the article will be used in training programs for medical and graduate students in electron microscopy. Undergraduates in the schools of biology and medical technology will also be trained in the use of the article as a basis for technical careers and for further training and research at the graduate level. Application received by Commissioner of Customs: November 26, 1974.

Docket number: 75-00240-33-46500. Applicant: Roswell Park Memorial Institute, 666 Elm Street, Buffalo, New York 14203. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for the preparation of ultrathin sections which will be examined with particular respect to cell surface features in the following material:

Cultural cells of human and animal origin, before and after malignant transformation by oncogenic viruses, and reversion of the transformed cells to normal *in vitro* behavioral pattern.

Application received by Commissioner of Customs: November 26, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director,

Special Import Programs Division.

[FR Doc. 74-30193 Filed 12-26-74; 8:45 am]

UNIVERSITY OF TEXAS MEDICAL BRANCH

Decision on Application for Duty-Free Entry
of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00048-33-46040. Applicant: University of Texas Medical Branch, Galveston, Texas 77550. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Eletronicon Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for ultrastructural studies on human pituitary tissue obtained from autopsies and surgical specimens, a major component of an ongoing correlated light and electron microscopic study of the normal and pathological human pituitary gland. The article will also be used for ultrastructural studies of human brain and muscle biopsies. In addition the article will be used for training to familiarize residents in neurosurgery, neurology and pathology with the diagnostic potential of electron microscopy and the necessity for proper procedure in obtaining tissue for electron microscopy as well as to impart factual

knowledge regarding the ultrastructural characteristics of various neurological and muscular disorders.

Comments: No comments have been received with respect to this application.

Decision: Application Denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: This application is a re-submission of Docket Number 74-00275-33-46040 which was denied without prejudice to resubmission on May 22, 1974 for informational deficiencies.

The applicant alleges in reply to Question 8 that the following specifications of the article are pertinent to his intended purposes and are not matched in the Model EMU-4C electron microscope, supplied by the Adam David Company.

(1) A magnification range of 1500 to 200,000x, and a scanning magnification of 200x;
(2) An automatic plate numbering device in order to provide positive identification of the negatives; and
(3) Simplicity of operation in order that resident physicians can use the article after a minimal period of instruction. The Department of Health, Education, and Welfare (HEW) reviewed this application and compared the alleged pertinent specifications of the article with those of the EMU-4C, which it deemed the most closely comparable domestic electron microscope. HEW advises in its memorandum dated November 5, 1974 that (1) The use of low scanning magnifications is intended for cell recognition and spacial correlation of relatively large structures wherein minor distortions and differences between 200x and 400x [the capability of the Model EMU-4C] are not pertinent. (We note that the domestic Model EMU-4C electron microscope provides a magnification range of 1400 to 240,000x with 400x for scanning without a pole piece change.) HEW also advises that (2) an automatic plate numbering device is intended for the care and treatment of patients and not for scientific research or educational purposes, and is otherwise a convenience which is not necessary for accomplishing the intended research or educational purposes. Finally, HEW advises that (3) the teaching intended by the applicant is at a relatively sophisticated level wherein simplicity of operation is not pertinent; moreover, HEW is not convinced that the article is simpler and easier to operate than the domestic Model EMU-4C.

HEW concludes that the applicant provides no pertinent specification within the meaning of subsection 701.2(n) of the regulations upon which duty-free entry could be based. Accordingly, we find that the EMU-4C is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director,
Special Import Programs Division.

[FR Doc.74-30194 Filed 12-26-74;8:45 am]

TELECOMMUNICATIONS EQUIPMENT TECHNICAL ADVISORY COMMITTEE

Notice of Partially Closed Meeting and Agenda

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. II, 1972) notice is hereby given that a meeting of the Telecommunications Equipment Technical Advisory Committee will be held Tuesday, January 28, 1975, at 9:30 am., in Room 3708, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Committee¹ was established to advise the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to telecommunications equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has five parts:

GENERAL SESSION

- (1) Opening remarks by the Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Report on Telecommunications Technical Seminar in Poland.
- (4) Discussion of draft sections on Findings of the Second Annual Report due March 1975.

EXECUTIVE SESSION

- (5) a. Conclusions and Recommendations—draft reports.
b. Update on progress of COCOM negotiations.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (5), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1974, pursuant to section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. (A copy of the deter-

¹ Determination filed as a part of the original document.

mination follows this notice.) All Committee members have appropriate security clearances.

Minutes of the open portion of the meeting will be available upon written request addressed to the Central Reference and Records Inspection Facility, Room 7043, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director Operations Division, Office of Export Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 203/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al., September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the meetings of the Telecommunications Equipment Technical Advisory Committee is hereby published.

Dated: December 23, 1974.

RAUER H. MEYER,
Acting Director, Bureau of East-
West Trade, U.S. Department
of Commerce.

[FR Doc.74-30275 Filed 12-26-74;8:45 am]

National Oceanic and Atmospheric Administration

INTERIM CONVENTION ON CONSERVATION OF NORTH PACIFIC FUR SEALS

Renegotiation and Preparation of Environmental Impact Statement

The Interim Convention on Conservation of North Pacific Fur Seals was signed in Washington, D.C. on February 9, 1957, on behalf of the Governments of Canada, Japan, the Union of Soviet Socialist Republics, and the United States of America. The Interim Convention came into force on October 14, 1957, and was amended by a Protocol which was signed in Washington on October 8, 1963, and entered into force on April 10, 1964. The Protocol extended the term of the Interim Convention for an additional six years, and effected several changes. The Interim Convention was, as amended, continued in force for a further period of six years by an exchange of notes which became effective on September 3, 1969.

Pursuant to Article XIII, paragraph 4, regarding the term of the Interim Convention, as amended, the United States intends to initiate the renegotiation of the Convention in March 1975. In connection with the renegotiation, the National Marine Fisheries Service has determined that a Draft Environmental Impact Statement will be prepared prior to initiation of renegotiation.

Anyone with views or information regarding the preparation of the Draft

Environmental Impact Statement is invited to transmit such views or information to the Director, National Marine Fisheries Service, Washington, D.C. 20235 by December 31, 1974.

Dated: December 12, 1974.

JACK W. GEHRINGER,
Acting Director.

[FR Doc.74-30116 Filed 12-26-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health
Administration

NATIONAL ADVISORY COUNCIL ON ALCOHOL ABUSE AND ALCOHOLISM

Notice of Rechartering

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the Alcohol, Drug Abuse, and Mental Health Administration announces the rechartering by the Secretary, Department of Health, Education, and Welfare, on December 13, 1974, of the National Advisory Council on Alcohol Abuse and Alcoholism in accordance with section 14(b)(2) of said Act.

Dated: December 19, 1974.

JAMES D. ISBISTER,
Acting Administrator, Alcohol,
Drug Abuse, and Mental
Health Administration.

[FR Doc.74-30051 Filed 12-26-74;8:45 am]

Center for Disease Control

IMMUNIZATION PRACTICES ADVISORY COMMITTEE

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the Director, Center for Disease Control, announces the meeting dates and other required information for the following National Advisory body which is scheduled to assemble during the month of January 1975.

Committee name	Date/time/place	Type of meeting and/or contact person
Immunization Practices Advisory Committee.	Jan. 15 to Jan. 16, 1975—8:30 a.m., room 207, Bldg. 1, Center for Disease Control, Atlanta, Ga. 30333.	Open—contact H. Bruce Dull, M.D., Bldg. No. 1—room 224, Center for Disease Control, Atlanta, Ga. 30333. Code: 404-633-3311, extension 3701.

Purpose. The Committee is charged with advising on the appropriate uses of immunizing agents for public health practice.

Agenda. The Committee will consider the current status of BCG vaccine in the prevention and control of tuberculosis in the United States. It will also continue its regular review of recommendations on the use of vaccines in public health practice.

Agenda items are subject to change as priorities dictate.

The meeting is open to the public for observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: December 18, 1974.

H. BRUCE DULL,
Acting Director,
Center for Disease Control.

[FR Doc.74-30302 Filed 12-26-74;8:45 am]

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act authorizes the National Institute for Occupational Safety and Health (NIOSH) to develop recommended occupational safety and health standards and to perform all functions of the Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. NIOSH is proposing to develop criteria documents and recommended occupational health standards on the following substances:

1. Methyl Parathion.
2. Carbaryl.
3. Malathion.

Each criteria document will include among other items an evaluation of available information relative to the areas listed below.

Any person having information or data in any of the areas listed below, or in other areas considered relevant to the establishment of a safe and healthful occupational environment involving these substances is requested to submit such information, with accompanying documentation to Acting Director, Office of Research and Standards Development, NIOSH, 5600 Fishers Lane, Rockville, MD 20852 on or before March 27, 1975.

1. Establishment of safe occupational environment levels for such agents including levels for acute and chronic exposure to airborne concentrations of the chemical agents as well as safe practices concerning direct contact with such agents.

2. Establishment of biologic standards, i.e., the levels of such agents, metabolites, or other effects of exposure which may be present within man without his suffering ill effects taking into consideration (a) the correlation of airborne concentrations of, and extent of exposure to such substances with effects on specific biological systems of man such as the circulatory, respiratory, urinary, and nervous system, and (b) the analytical methods for determining the amount of the substance which may be present within man.

3. Engineering controls, including ventilation, environmental temperature, hu-

midity, and housekeeping and sanitation procedures, with attention to the technological feasibility of such controls.

4. Specifications for the conditions under which personal protective devices should be required.

5. Methodology, including instrumentation, for air sampling and sample analysis of chemical agents and methodology for measuring levels of exposure to physical agents.

6. The need for medical examinations for workers exposed to such agents, the frequency of such examinations, and the specific diagnostic tests which should be used and the rationale of their selection.

7. Work practices or procedures which may be instituted for control of the workplace environment in normal operations and those which may be instituted when environmental levels are temporarily exceeded or where peak concentrations of chemical agents in man are reached.

8. The types of records concerning occupational exposure to such agents that employers should be required to maintain.

9. Warning devices and labels which should be required for the prevention of occupational diseases and hazards caused by such agents.

All information received concerning these substances will be available for public inspection after the development of the respective criteria document.

Dated: December 20, 1974.

EDWARD J. BAIER,
Acting Director, National Institute
for Occupational Safety
and Health.

[FR Doc.74-30179 Filed 12-26-74;8:45 am]

National Institutes of Health

AD HOC REVIEW GROUP ON BREAST CANCER TREATMENT

Notice of Establishment

The Director, National Institutes of Health, announces the establishment on December 11, 1974, of the advisory committee indicated below by the Director, National Cancer Institute, under the authority of section 410(a)(3) of the Public Health Service Act (42 U.S.C. 286d). Such advisory committee shall be governed by the provisions of the Federal Advisory Committee Act (Public Law 92-463) setting forth standards governing the establishment and use of advisory committees.

Name: Ad Hoc Review Group on Breast Cancer Treatment.

Purpose: The Committee provides to the Director, NCI and the Director, Division of Cancer Biology and Diagnosis, advice on matters relating to the treatment of breast cancer and assistance in the technical and scientific review of contract proposals in this area. The Committee will terminate on February 11, 1975.

R. W. LAMONT-HAVERS.

DECEMBER 20, 1974.

[FR Doc.74-80157 Filed 12-26-74;8:45 am]

HUMAN EMBRYOLOGY AND DEVELOPMENT STUDY SECTION, DIVISION OF RESEARCH GRANTS

Amended Notice of Meeting

Notice is hereby given of a change in the meeting date of the Human Embryology and Development Study Section, Division of Research Grants, which was published in the *FEDERAL REGISTER* on November 29, 1974 (39 FR 41571).

The Human Embryology and Development Study Section was to have convened at 9 a.m. on January 8-11, 1975, but has been changed to 9 a.m. January 9-11, 1975 at Building 31, Bethesda, Maryland 20014, the same location for which it was originally scheduled.

The meeting will be open to the public for approximately one hour at the beginning of the first session of the first day of the meeting.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

DEC. 20, 1974.

[FR Doc.74-30156 Filed 12-26-74; 8:45 am]

PULMONARY YOUNG INVESTIGATOR GRANT COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Pulmonary Young Investigator Grant Committee, National Heart and Lung Institute, February 3 and 4, 1975, National Institutes of Health, Building 31, Conference Room 7.

This meeting will be open to the public from 8:30 a.m. to 9:30 a.m. on February 3, 1975 for an introduction to the program and discussion of review procedures. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 3 from 9:30 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. The applications contain information of proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart and Lung Institute, Building 31, Room 5A21, NIH, Bethesda, Maryland 20014, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Robert C. Stroud, Review Branch, Division of Extramural Affairs, National Heart and Lung Institute, Westwood Building, Room 552A, phone (301) 496-7915, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.833, National Institutes of Health)

SUZANNE L. FREMEAUX,
Committee Management
Officer, NIH.

DECEMBER 20, 1974.

[FR Doc.74-30156 Filed 12-26-74; 8:45 am]

Office of Education

EXEMPLARY PROJECTS FOR THE DEVELOPMENT OF PRESERVICE TEACHER PREPARATION PROGRAMS

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in the Cooperative Research Act, Public Law 83-531, as amended, 20 USC 331, applications are being accepted for non-competing continuation grants under the Right to Read Program for the Development of Preservice Teacher Preparation Programs. No new grants will be awarded under this program.

In order to be considered for support, applications should be received by the U.S. Office of Education Application Control Center on or before March 14, 1975.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue SW, Washington D.C. 20202, Attention: 13.533. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The Application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date or if such fifth calendar day is a Saturday, Sunday, or Federal Holiday, not later than the next following business day, as evidenced by the U.S. Postal Service postmark on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D. Streets, S.W., Washington, D.C. 20202.

Hand delivered applications will be accepted daily between the hours of 8:30 a.m. and 4 p.m. Washington time except Saturdays, Sundays, or Federal Holidays. Applications will not be accepted after 4 p.m. on the

C. *Authority.* The regulations applicable to this program include the Office of Education General Provisions Regu-

lations (45 CFR 100a) and the General Regulations for Right to Read (45 CFR Part 151, Subpart A, published in the *FEDERAL REGISTER* on June 20, 1974 in Volume 39, Number 120, page 22147). In addition, the final regulation specifically governing the Preservice Teacher Preparation Program was published in the *FEDERAL REGISTER* on June 20, 1974, at 39 FR 22148.

D. *Program Information and forms.* Information and application forms may be obtained from the Right to Read Program, U.S. Office of Education, Room 2131, 400 Maryland Avenue, SW, Washington, D.C. 20202. (20 U.S.C. 331a(a)(1))

(Catalog of Federal Domestic Assistance Number 13.533; Right to Read—Elimination of Illiteracy)

Dated: December 17, 1974.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.74-30039 Filed 12-26-74; 8:45 am]

Social and Rehabilitation Service VOCATIONAL REHABILITATION SERVICES

Allotment Percentages

Pursuant to Section 8(a) of the Rehabilitation Act of 1973 (29 U.S.C. 707), and pursuant to section 501 of the Congressional Budget and Impoundment Control Act of 1974 (31 U.S.C. 1020) which provides that fiscal year 1977 shall begin on October 1, 1976 and end on September 30, 1977: It is hereby promulgated that for fiscal year 1976, for the period July 1, 1976 through September 30, 1976, and for the fiscal year ending September 30, 1977, for purposes of vocational rehabilitation services under the Rehabilitation Act of 1973 for each of the fifty States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific Islands, the allotment percentages, as specified in said Act, or determined pursuant thereto, on the basis of the per capita income data specified therein, shall be listed below. The allotment percentages shall in no case be more than 75 per centum or less than 33 1/3 per centum, and the allotment percentage for the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands shall be 75 per centum.

Alabama	61.84	North Caro-	
Alaska	41.59	lina	57.86
Arizona	53.14	North Dakota	51.46
Arkansas	62.44	Ohio	49.66
California	44.48	Oklahoma	57.45
Colorado	49.83	Oregon	52.30
Connecticut	40.45	Pennsylvania	50.22
Delaware	42.42	Rhode Island	50.87
Florida	51.32	South Caro-	
Georgia	56.61	lina	61.69
Hawaii	43.67	South Dakota	57.33
Idaho	57.95	Tennessee	59.47
Illinois	42.91	Texas	55.03
Indiana	51.39	Utah	59.21
Iowa	51.20	Kentucky	60.12
Kansas	49.46	Louisiana	60.85

Maine	59.59	New York	42.18
Maryland	45.20	Vermont	59.05
Massachusetts	46.96	Virginia	51.80
Michigan	45.54	Washington	49.29
Minnesota	51.03	West Virginia	60.49
Mississippi	65.27	Wisconsin	52.81
Missouri	52.26	Wyoming	53.42
Montana	54.79	Dist. of Col.	75.00
Nebraska	50.33	American	
Nevada	42.57	Samoa	75.00
New Hampshire	53.03	Guam	75.00
New Jersey	41.22	Puerto Rico	75.00
New Mexico	61.48	Trust	
		Territories	75.00
		Virgin Islands	75.00

Dated: December 20, 1974.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.74-30284 Filed 12-26-74; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

U.S. ADVISORY COMMITTEE ON VISUAL AIDS TO APPROACH AND LANDING

Notice of Renewal

Notice is hereby given that the U.S. Advisory Committee on Visual Aids to Approach and Landing is being renewed. The Airports Service is the sponsor of the Committee which consists of a group of 14 experts on airport ground visual aids. The Committee develops information and data in support of proposals to be submitted by the United States to the ICAO Visual Aids Panel for consideration and/or positions to be taken by the United States relating to proposed international standards and recommended practices for airport ground visual aids. The Committee's activity is limited to those visual aids matters which have international implications.

The Secretary of Transportation has determined that the formation and use of the U.S. Committee on Visual Aids to Approach and Landing are necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the Committee will be open to the public.

Issued in Washington, D.C. on December 17, 1974.

J. STUART JAMISON,
Acting Chairman, U.S. Advisory
Committee on Visual Aids to
Approach and Landing.

[FR Doc.74-30152 Filed 12-26-74; 8:45 am]

U.S. TERMINAL INSTRUMENT PROCE- DURES (TERPS) ADVISORY COMMIT- TEE

Notice of Establishment

Notice is hereby given of the establishment of the U.S. Terminal Instrument Procedures (TERPS) Advisory Committee. The Flight Standards Service is the sponsor of the committee, and members include representatives of the Federal Aviation Administration, Department of Defense, and civil aviation organizations. The committee will participate in the development, official adoption, pro-

mulgation and annual review of the TERPS standards for use in terminal areas of civil and military airports. TERPS standards are published as an FAA publication jointly signed by officials of the Federal Aviation Administration, the U.S. Army, the U.S. Navy, the U.S. Air Force, and the U.S. Coast Guard.

The Secretary of Transportation has determined that the formation and use of the U.S. Terminal Instrument Procedures (TERPS) Advisory Committee are necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law.

Issued in Washington, D.C. on December 18, 1974.

JAMES A. FORGAS,
Chairman, U.S. Terminal In-
strument Procedures (TERPS)
Advisory Committee.

[FR Doc.74-30151 Filed 12-26-74; 8:45 am]

National Highway Traffic Safety YOUTH HIGHWAY SAFETY ADVISORY COMMITTEE

Notice of Renewal

Notice is hereby given that the Youth Highway Safety Advisory Committee is being renewed. The Committee is composed of persons appointed by the National Highway Traffic Safety Administrator to consult with and advise him concerning programs and activities to attract and sustain the participation of young people in the national effort to combat highway deaths and injuries. The National Highway Traffic Safety Administration sponsors the Committee, which consists of 15 Members between the ages of 15-24.

The Committee reviews highway safety programs as they relate to young people and advises the Administrator on those aspects of the safety standards and countermeasures programs relating to young people. The Committee is limited to advisory functions only.

The Secretary of Transportation has determined that the formation and use of the Youth Highway Safety Advisory Committee are necessary in the public interest in connection with the performance of duties imposed on the Department by law.

Issued in Washington, D.C. on December 18, 1974.

CRAIG L. MILLER,
Acting Executive Secretary.

[FR Doc.74-29904 Filed 12-23-74; 8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. P-507-A]

NEW YORK STATE ELECTRIC & GAS CORP.

Notice of Receipt of Partial Application for Construction Permit and Facility License: Time for Submission of Views on Anti-trust Matters

New York State Electric and Gas Corporation (the applicant), pursuant to section 103 of the Atomic Energy Act of

1954, as amended, has filed one part of an application, dated November 27, 1974, in connection with its plans to construct and operate 2 boiling water reactors in the Town of Somerset, Niagara County, New York. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report, pursuant to § 2.101 of Part 2, is expected to be filed during September 1975. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., 20545. Docket No. P-507-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before February 25, 1975.

Dated at Bethesda, Maryland, this 18th day of December 1974.

For the Atomic Energy Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors
Projects Branch 1-2, Direc-
torate of Licensing.

[FR Doc.74-29897 Filed 12-26-74; 8:45 am]

[Docket No. 50-367]

NORTHERN INDIANA PUBLIC SERVICE CO.

Notice and Order Setting Evidentiary Hearing

In the matter of NORTHERN INDIANA PUBLIC SERVICE COMPANY (Bailly Generating Station, Nuclear-1).

On December 16, 1974, the Atomic Safety and Licensing Appeal Board remanded the above-captioned case for further evidentiary proceedings confined to the question of the environmental impact, if any, of slurry wall construction. The further proceedings are to commence on or before January 6, 1975. The purpose of the further proceedings is to permit the Joint Intervenor and the State of Illinois (1) to cross-examine such of the witnesses of the Permittee and the AEC Regulatory Staff (the Staff) as they desire; and (2) to present their own affirmative relative evidence.

In connection with this further evidentiary proceeding, the Joint Intervenor and the State of Illinois are to designate on or before December 27, 1974,

the witnesses of the Permittee and the Staff whom they wish to cross-examine at this further evidentiary hearing.

In addition, the Joint Intervenor and the State of Illinois are to supply the name, address and field of expertise of any witnesses they intend to present as soon as such witnesses have been identified. If possible, advance written testimony will be filed for these witnesses.

Please take notice that the further evidentiary proceedings will commence on Friday, January 3, 1975, in the vicinity of Chicago, Illinois, or in the vicinity of the Baily site. The exact location of the hearing will be supplied by later notice and order.

Members of public are invited to attend this further evidentiary hearing.

Issued at Bethesda, Maryland, this 19th day of December 1974.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.74-30041 Filed 12-26-74; 8:45 am]

[Docket No. 50-817]

BALTIMORE GAS AND ELECTRIC CO.
Issuance of Amendment To Facility Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-53 issued to Baltimore Gas and Electric Company which revised Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant, Unit 1, located in Calvert County, Maryland. The amendment is effective as of its date of issuance.

The amendment modifies the specifications to delete some of the Appendix A Technical Specifications Requirements and to supplement the remainder with specification needed to assure safe conditions during reactor shutdown operations to inspect and recouple several control element assemblies that were not recoupled to their respective extension shafts following a recent core inspection.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment, dated December 19, 1974, (2) Amendment No. 6 to License No. DPR-53, with any attachments, and (3) the related safety evaluation contained in the Commission's letter to Baltimore Gas and Electric Company. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Calvert County Library, Prince Frederick, Maryland 20678.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing-Regulation.

Dated at Bethesda, Maryland, this 20th day of December 1974.

For the Atomic Energy Commission.

OLAN D. FARR,
Chief, Light Water Reactors
Project Branch 1-3, Directorate
of Licensing.

[FR Doc.74-30176 Filed 12-26-74; 8:45 am]

[Docket No. 50-817]

BALTIMORE GAS AND ELECTRIC CO.
Issuance of Amendment To Facility Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 5 to Facility Operating License No. DPR-53 issued to Baltimore Gas and Electric Company which revised Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant, Unit 1, located in Calvert County, Maryland. The amendment is effective as of its date of issuance.

The amendment modifies the Specifications to require that the baseline reactor internals vibration surveillance measurements be made at 20 percent, 50 percent, 80 percent and 100 percent power levels.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment, dated December 9, 1974, (2) Amendment No. 5 to License No. DPR-53, with any attachments, and (3) the related safety evaluation contained in the Commission's letter to Baltimore Gas and Electric Company. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Calvert County Library, Prince Frederick, Maryland 20678.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing-Regulation.

Dated at Bethesda, Maryland, this 20th day of December 1974.

For the Atomic Energy Commission.

OLAN D. FARR,
Chief, Light Water Reactors
Project Branch 1-3, Directorate
of Licensing.

[FR Doc.74-30175 Filed 12-26-74; 8:45 am]

[Docket Nos. 50-369, 50-370]

DUKE POWER CO.

Notice and Order Scheduling Prehearing Conference

In the matter of Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2).

Take Notice, that in accordance with the "Notice of Hearing on Application for Facility Operating License" published by the Atomic Energy Commission in the FEDERAL REGISTER on October 7, 1974 (39 FR 36037), a prehearing conference will be held in the above captioned proceeding on January 16, 1975, at 10:00 a.m., local time in the Mecklenburg County Administration Building, Fourth Floor Commissioners' Meeting Room, 720 East Fourth Street, Charlotte, North Carolina 28202.

The Prehearing Conference will deal with the following matters:

1. Identification of the key issues in the proceeding.
2. Consideration of the intervention petition filed by the Carolina Environmental Study Group, to allow the Atomic Safety and Licensing Board to make such preliminary or final determination as to the specification of controverted matters, as may be appropriate, and
3. Establishment of a schedule for further actions in this proceeding.

Members of the public are welcome to attend the conference of parties or their counsel, however no evidence will be received and no limited appearance statements will be accepted at the prehearing conference. Statements by members of the public making limited appearances will be received at the commencement of the evidentiary hearing which will be scheduled at a later date.

Issued at Bethesda, Maryland this 20th day of December, 1974.

For the Atomic Safety and Licensing Board.

ROBERT M. LAZO,
Chairman.

[FR Doc.74-30174 Filed 12-26-74; 8:45 am]

[Docket No. 50-334-OL]

DUQUESNE LIGHT CO.
Reconstitution of Board

In the matter of Duquesne Light Company (Beaver Valley Unit 1).

Dr. John C. Geyer was a member of the Atomic Safety and Licensing Board established to consider the above application. Dr. Geyer is retiring from the Atomic Safety and Licensing Board Panel.

By Order of the Commission, Gustave A. Linenberger, whose address is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545, has been appointed a member of the Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Bethesda, Maryland, this 20th day of December, 1974.

The Atomic Safety and Licensing Board Panel.

NATHANIEL H. GOODRICH,
Chairman.

[FR Doc.74-30173 Filed 12-26-74;8:45 am]

[Docket No. 50-263]

NORTHERN STATES POWER CO.
Reconstitution of Board

In the matter of Northern States Power Company (Monticello Nuclear Generating Plant).

Dr. John C. Geyer was a member of the Atomic Safety and Licensing Board established to consider the above application. Dr. Geyer is retiring from the Atomic Safety and Licensing Board Panel.

By Order of the Commission, Dr. Richard F. Cole, whose address is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545, has been appointed a member of this Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Bethesda, Maryland this 20th day of December, 1974.

The Atomic Safety and Licensing Board Panel.

NATHANIEL H. GOODRICH,
Chairman.

[FR Doc.74-30172 Filed 12-26-74;8:45 am]

[Docket No. STN 50-437]

OFFSHORE POWER SYSTEMS

Notice and Order Resetting Second Prehearing Conference

In the matter of Offshore Power Systems (Floating Nuclear Power Plants).

The Second Prehearing Conference in the above-captioned proceeding which is scheduled for January 7, 1975, in Washington, D.C., must be continued because of a conflict in the Atomic Safety and Licensing Board's schedule.

Please take notice that the Second Prehearing Conference in this case is hereby continued from January 7, 1975 until 10:00 a.m., January 28, 1975 in the Atomic Safety and Licensing Board Panel's hearing room, 12th floor, Landow Building, 7910 Woodmont Avenue, Bethesda, Maryland 20014.

Issued at Bethesda, Maryland, this 20th day of December 1974.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.74-30171 Filed 12-26-74;8:45 am]

[Docket Nos. STN 50-522 and STN 50-523]

PUGET SOUND POWER AND LIGHT CO.
ET AL.

Receipt of Application for Construction Permits and Licenses

Notice of receipt of application for construction permits and facility licenses and availability of applicants' environmental report and certain site suitability information; time for submission of views on antitrust matters.

The Puget Sound Power and Light Company, acting for itself and as agent for the Pacific Power and Light Company, The Washington Water Power Company, the Idaho Power Company, and the Washington Public Power Supply System (the applicants), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, have filed an application, which was docketed September 30, 1974, for authorization to construct and operate two generating units utilizing two boiling water reactors. The application was tendered on August 6, 1974. Following a preliminary review for completeness, the application (environmental report and site suitability information required for an authorization to conduct certain on-site work in accordance with 10 CFR § 50.10(e)) was found to be acceptable for docketing. Docket Nos. STN 50-522 and STN 50-523 have been assigned to the application and they should be referenced in any correspondence relating to the application. The Preliminary Safety Analysis Report, which was tendered on November 27, 1974, is undergoing a preliminary review to determine its acceptability for a detailed review.

The proposed nuclear facilities, designated by the applicants as the Skagit Nuclear Power Project, Units 1 and 2, are to be located in Skagit County, Washington, approximately 5 miles northeast of Sedro Woolley. Each unit is designed for initial operation at approximately 3800 megawatts (thermal), with a net electrical output of approximately 1300 megawatts.

A notice of hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before February 19, 1975. The request should be filed in connection with Docket Nos. STN 50-522-A and STN 50-523-A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20545, and at the

Sedro Woolley Library, 802 Ball Avenue, Sedro Woolley, Washington 98284.

The applicants have filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51, an environmental report dated September 18, 1974. The report, which discusses environmental considerations related to the construction and operation of the proposed facilities is being made available for public inspection at the aforementioned locations and at the Office of the Governor, State Planning and Community Affairs Agency, Olympia, Washington 98504.

After the environmental report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement will be prepared by the Commission's Regulatory staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Maryland, this 11th day of December, 1974.

For the Atomic Energy Commission.

JOHN F. STOLZ,
Chief, Light Water Reactors
Project Branch 2-1, Directorate
of Licensing.

[FR Doc.74-29398 Filed 12-19-74;8:45 am]

[Docket Nos. 50-445, 50-446]

TEXAS UTILITIES GENERATING CO., ET AL.

Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated October 11, 1974, and December 12, 1974, the Atomic Energy Commission (the Commission) has issued Construction Permits No. CFP-126 and No. CFP-127 to the Texas Utilities Generating Company, Dallas Power and Light Company, Texas Electric Service Company, and Texas Power and Light Company, for construction of two pressurized water nuclear reactors at the applicants' site in Somervell County, Texas. The proposed reactors, known as the Comanche Peak Steam Electric Station, Units 1 and 2, are each designed for a rated

power of approximately 3411 megawatts thermal with a net electrical output of approximately 1159 megawatts.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Appeal Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decisions may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest dates for the completion of the facilities are August 1, 1979 and August 1, 1981, for Units 1 and 2 respectively, and the latest dates for completion are August 1, 1981 and August 1, 1983, for Units 1 and 2 respectively. Each permit shall expire on the latest date for completion of the facility for which it is issued.

A copy of (1) the Initial Decisions, dated October 11, 1974, and December 12, 1974; (2) Construction Permits Nos. CPPR-126 and CPPR-127; (3) the report of the Advisory Committee on Reactor Safeguards, dated October 18, 1974; (4) the Directorate of Licensing's Safety Evaluation Report, dated September 3, 1974, and Supplement No. 1 to the Safety Evaluation Report, dated November 15, 1974; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicants' Environmental Report dated June 5, 1973, and supplements thereto; (7) the Draft Environmental Statement dated February 1974; and (8) the Final Environmental Statement dated June 1974 are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and at the Somervell County Public Library, On the Square, P.O. Box 417, Glen Rose, Texas. A copy of the construction permits, the Safety Evaluation Report, and its Supplement No. 1 may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this 19th day of December, 1974.

For the Atomic Energy Commission.

D. B. VASSALLO,
Chief, Light Water Reactors
Project Branch 1-1, Directorate
of Licensing-Regulation.

[FR Doc. 74-30170 Filed 12-26-74; 8:45 am]

[Docket Nos. 50-434, 50-435]

VIRGINIA ELECTRIC AND POWER CO.
Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decision of the Atomic

Safety and Licensing Board, dated December 16, 1974, the Atomic Energy Commission (the Commission) has issued Construction Permits Nos. CPPR-124 and CPPR-125 to the Virginia Electric and Power Company for construction of two pressurized water nuclear reactors at the applicant's site in Surry County, Virginia. The proposed reactors known as the Surry Power Station, Units 3 and 4, each designed for a rated power of 2631 megawatts thermal with a net electrical output of 859 megawatts.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest date for the completion of Unit 3 is November 1, 1982, and the latest date for completion is December 15, 1983. The earliest date for the completion of Unit 4 is November 1, 1983, and the latest date for completion is December 15, 1984. Each permit shall expire on the latest date for completion of the facility.

A copy of (1) the Initial Decision, dated December 16, 1974; (2) Construction Permits Nos. CPPR-124 and CPPR-125; (3) the report of the Advisory Committee on Reactor Safeguards, dated July 16, 1974; (4) the Directorate of Licensing's Safety Evaluation, dated May 23, 1974 and supplement thereto; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report, dated April 1973 and supplements thereto; (7) the Draft Environmental Statement, dated February 1974; and (8) the Final Environmental Statement, dated May 1974, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and the Swem Library, College of William and Mary, Williamsburg, Virginia 23185. Copies of the construction permits and the Safety Evaluation may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing-Regulation.

Dated at Bethesda, Maryland, this 20th day of December, 1974.

For the Atomic Energy Commission.

A. SCHWENCER,
Chief, Light Water Reactors
Branch 2-3, Directorate of
Licensing.

[FR Doc. 74-30169 Filed 12-26-74; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 26993; Order 74-12-80]

ALASKA AIRLINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C.

On August 30, 1974, Alaska Airlines, Inc., filed a motion for leave to file an otherwise unauthorized document, accompanied by a petition requesting the Board to approve and establish, under section 406 of the Federal Aviation Act of 1958, a fuel surcharge applicable to mail transported by Alaska in its intra-Alaska service. Alaska does not desire at this time to institute proceedings leading to a general reexamination of its service mail rates but only requests that a fuel surcharge, to be effective September 1, 1974, be added to its present service mail rates.¹ Alaska's petition describes the substantial increases in fuel prices which have occurred since final service mail rates were established for the carrier's intra-Alaska services and seeks the establishment of a fuel surcharge based on current fuel costs. By answer filed September 6, 1974, the U.S. Postal Service indicates its support for the relief requested by Alaska.

Under the Board's rules,² a petition seeking an adjustment in a mail rate must challenge that rate. Since Alaska makes no request that its entire mail rate be opened, the carrier's petition fails to meet the requirements of our rules and does not serve to open its service mail rates. We will, however, treat Alaska's filing as a petition requesting the Board to institute a mail rate proceeding to determine a fuel-related surcharge on a prospective basis for its intra-Alaska mail service.³ We take this action because we are aware that Alaska, like the other air carriers, has experienced significant fuel cost increases.

Alaska was granted a fine percent intra-Alaska passenger-fare increase, effective September 20, 1974, to compensate for the unusually high fuel costs it has been experiencing. In view of this, we will institute a proceeding proposing to amend Alaska's present intra-Alaska service mail rates to establish for the future a fuel-related surcharge. We will, therefore, open Alaska's intra-Alaska service mail rates to the extent necessary to consider an appropriate fuel surcharge. It is not the intent of this proceeding to conduct a definitive inquiry into all aspects of Alaska's mail operations, but to deal primarily with whatever reasonable adjustment is needed, under the present circumstances, to reflect increased fuel costs.

In support of its petition, Alaska states that Chevron International Oil Com-

¹ These rates were established by Order 71-2-56, February 10, 1971, and Order 71-2-102, February 23, 1971.

² Section 302.303(b) of the Board's Procedural Regulations.

³ Therefore, Alaska's motion to file an unauthorized document will be denied except to the extent granted herein.

pany, Inc., who supplies all of its aviation fuel, has increased fuel prices, effective September 1, 1974, by 4.7 cents per gallon at all stations except Fairbanks where the increase was 6.39 cents. This is in addition to increases of four cents per gallon in 1973 and 4.5 cents on January 1, 1974. Based on the carrier's computations for the first six months of 1974, there has been a 58.6 percent increase in fuel cost per great-circle mail ton-mile over the fiscal year 1969 base period or an increase of 4.66 cents per great-circle mail ton-mile. The computations for the amended priority and nonpriority rates, herein, are set out in the attached Appendix.

Based on our review of the data submitted with Alaska's petition, plus additional data subsequently provided by Alaska,⁴ and data provided in their Form 41 reports, we find that it is appropriate to base a fuel surcharge for Alaska on the percentage increase in fuel costs per great-circle mail ton-mile for the first half of 1974 over those for the fiscal year 1969 based period.

In view of the extraordinary fuel price increases experienced by the air carriers, we have determined to propose a fuel surcharge applicable to the carriage of mail by Alaska, effective on and after the adoption of this order. We also propose that upon application by Alaska or the Postmaster General, further adjustments of this surcharge may be made as warranted by any significant fluctuation in fuel costs which would otherwise constitute an undue burden upon the carrier or the U.S. Postal Service.

As we have previously indicated, this proceeding is primarily concerned with the limited issue of escalating fuel costs experienced by Alaska. Nevertheless, it is found from an examination of reported results that there is no reason to believe that Alaska's costs for transporting mail have declined, nor that the productivity achieved by this carrier could compensate for experienced fuel cost increases that have occurred since Alaska's intra-Alaska service mail rates were computed on the basis of fiscal year 1969 cost data. Based on the available information, it is clear that the addition of the fuel surcharge requested by Alaska is reasonable and will not result in an overpayment to the carrier for the carriage of mail.⁵ While the Board does not favor opening a rate for an adjustment based on a change in only one element of cost, we recognize the unprecedented situation that has been occasioned by the world energy crisis and the resultant precipitous increase in fuel costs. Under the circumstances, no useful purpose would be served by a complete review of Alaska's intra-Alaska service mail rates, and this is particularly relevant since the Postmaster General supports the pe-

itioner's request for a fuel-related surcharge. However, our action herein is limited to the specific circumstances of this case and is not to be considered a precedent in future proceedings.

Based on the foregoing, the Board tentatively finds and concludes that on and after December 20, 1974, the fair and reasonable final rates of compensation to be paid by the Postmaster General to Alaska Airlines, Inc., for the transportation of mail by aircraft over its intra-Alaska routes, the facilities used and useful therefor, and the services connected therewith, are those rates established in Order 71-2-102, February 23, 1971, plus a fuel surcharge of 4.66 cents per great-circle mail ton-mile as indicated in the Appendix: *Provided, however*, That if there is a further significant variation in the fuel cost per revenue ton-mile for scheduled services, the aforesaid fuel surcharge may be adjusted by further order of the Board upon application by the carrier or the Postmaster General accompanied by supportive fuel cost data.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, and the Regulations promulgated in 14 CFR, Part 302,

It is ordered, That:

1. All interested persons, and particularly Alaska Airlines, Inc., and the Postmaster General, are directed to show cause why the Board should not amend Order 71-2-102, February 23, 1971, so as to adopt the following service mail rates per great-circle mail ton-mile effective on and after December 20, 1974: priority mail \$1.3466 and nonpriority \$1.0966, subject to the terms and conditions as set forth in Order 71-2-102;

2. The motion filed by Alaska is denied except to the extent granted herein;

3. Further procedures herein shall be in accordance with the Rules of Practice, 14 CFR Part 302, and if there is any objection to the rates and charges or to the related findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after the date of service of this order;

4. If notice of objection is not filed within 10 days, or if notice is filed and answer is not filed within 30 days after service of this order, or if an answer timely filed raises no material issue of fact, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of an order fixing final service mail rates and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the rates herein specified;

5. If notice of objection and answer are filed presenting issues for hearing, issues going to the establishment of the fair and reasonable rates herein¹ shall be limited to those specifically raised by such answers except as otherwise provided in 14 CFR 302.307; and

¹ Filed as part of the original document.

6. This order shall be served upon Alaska Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 74-30105 Filed 12-26-74; 8:45 am]

SATURN AIRWAYS, INC. ET AL

Notice of Postponement of Hearing

In the matter of Saturn Airways, Inc., Docket No. 26878, and Ayhan Kaymak v. Saturn Airways, Inc., et al., Docket No. 25864.

Notice is hereby given that, at the request of Saturn Airways, Inc., to which no party has filed any objection, the hearing in the above-captioned cases (39 FR 39906, November 12, 1974) has been postponed to Tuesday, February 4, 1975, at 10 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., December 18, 1974.

[SEAL] FRANK M. WHITING,
Administrative Law Judge.

[FR Doc. 74-30104 Filed 12-26-74; 8:45 am]

[Dockets 25280, 26494; Agreements C.A.B. 24714 R-4, 24816 R-1 through R-5, 24817 R-1 through R-9; Order 74-12-70]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Cargo Rate, Passenger Fare, and Currency Matters

Issued under delegated authority December 19, 1974.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA).

Agreement C.A.B. 24714, would revalidate Resolution 016b (North and Central Pacific Cargo Policy Study Group) through September 30, 1975.¹

Agreement C.A.B. 24816 would amend various resolutions imposing currency-related surcharges on passenger fares from Iceland and Japan to reflect recent depreciations in the values of the Icelandic krona and Japanese yen. The Board has previously approved other IATA agreements reflecting the same

¹ Agreement C.A.B. 24714 also proposes introduction of rates for B-747F aircraft containers, as well as a general 8 percent increase in all North/Central Pacific cargo rates; and would revalidate the underlying rate structure through September 30, 1975. Order 74-10-120 (October 23, 1974) established procedures for the disposition of these resolutions, which will be treated in a separate order.

⁴ Schedule P-5(b)—Fuel Consumption and Inventories—for the month of September 1974 was received on October 10, 1974.

⁵ For fiscal year 1969, Alaska's reported results indicate total operating costs of 58.57 cents per revenue ton-mile. By fiscal year 1974, these costs had risen approximately 27 percent to 74.53 cents per revenue ton-mile.

surcharge levels from Iceland and Japan,* and the agreements now before us would merely clarify application of the surcharges to other world areas.

Agreement C.A.B. 24817 encompasses the revalidation, and amendment, of the TC2 (Europe/Middle East/Africa) fare structure through March 31, 1976. The agreement affects air transportation as

* Orders 74-11-118 (November 21, 1974) and 74-11-153 (November 29, 1974) respectively.

defined by the Act only insofar as it involves normal fares, which are combinable with fares to/from U.S. points. We will approve those portions of the agreement, and disclaim jurisdiction with respect to the balance of the agreement.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14:

1. It is not found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB		IATA resolution		
24714:				
R-4	-----	JT31 (Mail 278)016b.		
Agreement CAB		IATA No.	Title	Application
24816:				
R-1	-----	022f II	JT23/JT123—Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2/3; 1/2/3
R-2	-----	022h	JT12 and JT123 (South Atlantic)—Special Rules for Sales of Passenger Air Transportation (Amending).	1/2; 1/2/3
R-3	-----	122i	JT12 and JT123 (North Atlantic)—Special Rules for Sales of Passenger Air Transportation (Amending).	1/2; 1/2/3
R-4	-----	022a	JT12 and JT123 (Mid Atlantic)—Special Rules for Sales of Passenger Air Transportation (Amending).	1/2; 1/2/3
R-5	-----	022v	JT23/JT123—Special Rules for Sales of Passenger Air Transportation From TC2 to TC3 (Revalidating and Amending).	2/3; 1/2/3
24817:				
R-1	-----	002	Standard Revalidation Resolution	2
R-2	-----	002a	Special Revalidation Resolution	2
24817:				
R-4	-----	022d	TC2 Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2
R-5	-----	022dd	TC2 Special Rules for Sales of Passenger Air Transportation (Revalidating and Amending).	2
R-9	-----	311	Baggage Excess Weight Charges (Amending)	2

2. It is not found that the following resolutions, incorporated in Agreement C.A.B. 24817 as indicated, affect air transportation within the meaning of the Act:

Agreement CAB	IATA No.	Title	Application
24817:			
R-3-----	014s	Special Fares to/from United Kingdom-----	2
R-6-----	084r	Group Inclusive Tours from Scandinavia (Revalidating and Amending).-----	2
R-7-----	091b	TC2 Family Fares Between Points in Middle East and Between Libya and the Middle East (Revalidating and Amending).-----	2
R-8-----	002	Student Fares (Revalidating and Amending)-----	2

Accordingly, it is ordered, That: 1. Agreements C.A.B. 24714, R-4; C.A.B. 24816, R-1 through R-5; and C.A.B. 24817, R-1, R-2, R-4, R-5 and R-9, be and hereby are approved;

2. Jurisdiction be and hereby is disclaimed with respect to Agreement C.A.B. 24817, R-3, R-6, R-7, and R-8; and

3. The carriers are hereby authorized to file tariffs reflecting the provisions of the approved agreements, insofar as they apply in air transportation as defined by the Act, on not less than one day's notice for effectiveness not earlier than December 23, 1974. The authority granted in this paragraph expires January 20, 1975.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

JAMES L. DEEGAN,
Chief, Passenger and Cargo
Rates Division, Bureau of
Economics.

[SBNL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 74-29986 Filed 12-26-74; 8:45 am]

COMMISSION ON CIVIL RIGHTS ARKANSAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Arkansas State Advisory Committee (SAC) to this Commission will convene at 9:30 a.m. on January 18, 1975, in the Hotel Sam Peck, Loggia Room, 625 W. Capitol, Little Rock, Arkansas 72201.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore

Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting (1) Call to order, (2) Discussion of SWRO activities, (3) Planning of strategies for endorsement of Equal Rights Amendment, (4) Press conference to endorse Equal Rights Amendment, (5) Planning for future Arkansas programs.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 23, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc. 74-30267 Filed 12-26-74; 8:45 am]

KANSAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Kansas State Advisory Committee (SAC) to this Commission will convene at 8:30 a.m. on January 17, 1975, at 7301 Northwest Tiffany Springs Road, Kansas City, Missouri 64153.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Central States Regional Office of the Commission, Room 3103, Old Federal Office Building, 911 Walnut Street, Kansas City, Missouri 64106.

The purpose of this meeting is to discuss Revenue Sharing.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 23, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc. 74-30265 Filed 12-26-74; 8:45 am]

PENNSYLVANIA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Pennsylvania State Advisory Committee (SAC) to this Commission will convene at 10:30 a.m. on January 21, 1975, Federal Building, Room 6306, Arch Street, Philadelphia, Pennsylvania 19106.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20425.

The purpose of this meeting is to introduce new SAC members.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 20, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.74-30268 Filed 12-26-74; 8:45 am]

VIRGINIA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Virginia State Advisory Committee (SAC) to this Commission will convene at 12:00 noon on January 16, 1975, at Gateway Inn 6007, Route 60 East, Huntington, West Virginia.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20425.

The purpose of this meeting shall be subcommittees reports will be presented on activities in Alderson, Parkersburg and Wheeling, West Virginia.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 20, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.74-30266 Filed 12-26-74; 8:45 am]

VIRGINIA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Virginia State Advisory Committee (SAC) to this Commission will convene at 7 p.m. on January 7, 1975, at the John Marshall Hotel, Byrd Room, 5th and Franklin Streets, Richmond, Virginia 23213.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20425.

The purpose of this meeting is to plan SAC activities for 1975.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 20, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.74-30269 Filed 12-26-74; 8:45 am]

MASSACHUSETTS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Massachusetts State Advisory Committee (SAC) will convene on January 21, 1975, at 3 p.m. in John F. Kennedy Federal Building, Room 505, Boston, Massachusetts.

Persons wishing to attend this meeting should contact the Committee Chairman or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss project development for the new subcommittee Project Developments.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., December 20, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.74-30270 Filed 12-26-74; 8:45 am]

CIVIL SERVICE COMMISSION

FUND-RAISING ADVISORY COUNCIL

Charter Renewal

Pursuant to section 14 of the Federal Advisory Committee Act (Pub. L. 92-463) and OMB Circular A-63 Revised, March 27, 1974, notice is hereby given of the renewal of the charter of the Fund-Raising Advisory Council. The Council was established under the authority of Executive Order 10927. The objectives of the Council are to maintain liaison and to provide working relationships on a national scope between the Federal Government and private voluntary charitable organizations which seek to solicit Federal employees and military personnel on the job.

The Civil Service Commission certifies that the renewal of the Council is in the public interest. A new charter for the Council has been approved and filed as required.

[SEAL]

JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.74-30263 Filed 12-26-74; 8:45 am]

PRIVATE VOLUNTARY AGENCY ELIGIBILITY COMMITTEE

Charter Renewal

Pursuant to section 14 of the Federal Advisory Committee Act (Pub. L. 92-463) and OMB Circular A-63 Revised, March 27, 1974, notice is hereby given of the renewal of the charter of the Committee on Private Voluntary Agency Eligibility. The Committee was estab-

lished under the authority of Executive Order 10927. Its objectives are to insure through prior review of applications and supplementary financial and accounting data, that only responsible and worthy national voluntary agencies are authorized to solicit on the job in Federal installations, and to make recommendations regarding certain other matters relating to fund-raising appeals.

The Civil Service Commission certifies that the renewal of this advisory committee is in the public interest. A new charter for the Committee has been approved and filed as required.

[SEAL]

JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.74-30264 Filed 12-26-74; 8:45 am]

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

CONGRESS AND CONGRESSIONAL-EXECUTIVE RELATIONS INTERNATIONAL ECONOMIC POLICY

Public Hearings

Notice is hereby given that the Commission on the Organization of the Government for the Conduct of Foreign Policy will hold public hearings, on the subject areas noted below, in San Francisco, California, on January 28, 1975, at 9:30 a.m., in the Ceremonial Courtroom of the U.S. District Courthouse, 450 Golden Gate, 19th Floor. A second day of hearings on January 29 will be held if necessary. The hearings are held in furtherance of the Commission's mandate, as stated in section 603(a) of Pub. L. 92-352 (92nd Congress, H.R. 14734):

Section 603(a) The Commission shall study and investigate the organization, methods of operation, and powers of all departments, agencies, independent establishments, and instrumentalities of the United States Government participating in the formulation and implementation of United States foreign policy and shall make recommendations which the Commission considers appropriate to provide improved governmental processes and programs in the formulation and implementation of such policy, including, but not limited to, recommendations with respect to—

(1) the reorganization of the departments, agencies, independent establishments, and instrumentalities of the executive branch participating in foreign policy matters;

(2) more effective arrangements between the executive branch and Congress, which will better enable each to carry out its constitutional responsibilities;

(3) improved procedures among departments, agencies, independent establishments, and instrumentalities of the United States Government to provide improved coordination and control with respect to the conduct of foreign policy;

(4) the abolition of services, activities, and functions not necessary to the efficient conduct of foreign policy; and

(5) other measures to promote peace, economy, efficiency, and improved administration of foreign policy.

The hearing will focus upon two specific subject areas:

1. *Congressional-Executive Relations.* The Commission is seeking views of informed persons on the Congressional-Executive relationship in the formulation and implementation of U.S. foreign policy, views offering specific criticism and recommendations for improving Congressional-Executive organization in the following areas:

Operational Congressional Reforms: Staffing and Support Systems.

Institutional Congressional Reforms: Committee Roles and Jurisdictions.

Congressional Oversight Over the Executive Branch and Foreign Policy.

Congressional-Executive Organization: Role of Congress and Executive Branch.

Congressional-Executive Organization: The Constitutional Framework.

A partial listing of some issues raised which testimony should focus upon include the organization of committee jurisdictions for efficient consideration of foreign policy issues; the utilization of staff and support to give expertise to the Congress in its partnership with the Executive on foreign policy matters; the Congressional oversight of foreign policy, including military programs and policies, and the intelligence agencies; Congress' access to timely information, the classification system, secrecy in foreign policy; Congress' role in the treaty-making process, and the use of Executive Agreements; the issue of constitutional primacy in foreign affairs between Congress and the Executive; use of force policies, war powers, and the Commander-in-Chief authority; the constitutional and practical aspects of Congress' power of the purse in foreign policy.

Testimony need not be limited to the above issues. The only restriction is that witnesses confine themselves to organizational, structural, and procedural matters and not to substantive policy matters.

2. *International Economic Policy.* The objective of the Commission in soliciting testimony from private sector witnesses on the subject of international economic policy organization is to receive suggestions, comments and criticisms aimed at improving governmental organization in the following specific functional areas:

International Trade.

International Investment and Multinational Corporations.

International Finance, Monetary Policy and Taxation.

Economic Assistance to Less Developed Countries.

Raw Materials and Natural Resource Availability.

Labor.

Testimony should be directed at identifying problem areas and suggesting improvements in the organization, procedures, and personnel in the manner in which the Federal Government formulates, implements, and conducts international economic policy and maintains relations with the domestic business community. The Commission is in-

terested in compiling a detailed perspective of the private sector's experiences in dealing with the Government in the field of international economic policy. Specifically, we hope that testimony should touch on such issues as the ability to make private sector attitudes known and understood in the Government, the ability to receive explanations of governmental policies and intentions, policy inconsistencies and shifting jurisdictional responsibilities among governmental agencies, and comparisons of organizational and procedural techniques with those of foreign governments. Testimony need not be limited to such issues; the only restriction is that witnesses confine themselves to organizational, procedural and personnel matters and not to substantive policy matters.

Interested persons are encouraged to present information and views in the course of the Commission's hearing, subject to the following conditions and procedures:

(1) Any person wishing to present information and views to the Commission shall submit a request in writing, specifying the date of the hearing for which the request is made, a concise summary of the proposed presentation, and the amount of time requested for oral testimony (if any). Such request must be received at the offices of the Commission no less than 14 days prior to the proposed hearing date.

(2) The Chairman shall, within three (3) days from receipt of any such request, notify the requesting person whether the proposed presentation is consistent with the legislative mandate of the Commission, and how much time (if any) can be allotted for oral testimony.

(3) Two (2) typewritten copies of all material to be presented to the Commission shall be filed with the Commission no less than two (2) business days prior to the hearing to which it relates. Any statement or material for which no time for oral presentation has been allotted or is available shall be included in the official hearing record.

(4) Any person who takes exception to any determination of the Commission may present in writing to any Commissioner the basis for such exception and thereafter the decision of the Chairman shall be considered by the Commission and may be overruled by a majority vote. Such person shall be notified by certified mail of the decision of the Commission, which shall be final.

Requests for further information, questions, and other communications should be addressed to the Executive Director, Commission on the Organization of the Government for the Conduct of Foreign Policy, 2025 M Street NW., Washington, D.C. 20506, Suite 3002, Telephone 202-254-9850 or the World Affairs Council of Northern California, 406 Sutter Street, San Francisco, California 94108, Telephone 415-982-2541.

By the Commission.

FRANCIS O. WILCOX,
Executive Director.

[FR Doc. 74-30178 Filed 12-26-74; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/161; FRL 310-1]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before February 25, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after February 25, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 1029-REE. Aidex Corp., 1024 N. 17th St., Omaha NE 68102. DACTHEX 5-G TURF AND GARDEN HERBICIDE. Active Ingredients: Dimethyltetra-chloroterephthalate 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 241-EUA. American Cyanamid Co., PO Box 400, Princeton NJ 08540. 2% TEMEPHOS PRESSURIZED SPRAY FOR CONTROL OF FLEAS ON DOGS ONLY. Active Ingredients: (0,0'-thiodi-p-phenylene) 0,0,0',0'-tetramethyl

- bis-(phosphorothioate) 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5481-RTI. Amvac Chemical Corp., 4100 E. Washington Blvd., Los Angeles CA 90023. ALCO HOME AND GARDEN INSECT SPRAY PRESSURIZED. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.350%; Related compounds 0.048%; Aromatic petroleum hydrocarbons 0.464%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 662-LA. Basf Wyandotte Corp., Chemical Specialties Div., 1609 Bidle Ave., Wyandotte MI 48192. WYANDOTTE MULTICHLOR B HIGHLY-SOLUBLE CHLORINE SANITIZER. Active Ingredients: Sodium dichloro-s-triazine-trione 12.9%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 662-LI. Basf Wyandotte Corp., WYANDOTTE STERICHLOR B HIGHLY-SOLUBLE CHLORINE SANITIZER. Active Ingredients: Sodium dichloro-s-triazine-trione 6.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 662-LT. Basf Wyandotte Corp., WYANDOTTE MULTICHLOR D HIGHLY-SOLUBLE CHLORINE SANITIZER. Active Ingredients: Potassium dichloro-2-triazine-trione 13.8%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1130-0. Burnshine Products, Inc., 8140 N. Ridgeway, Skokie IL 60076. BURNSHINE PORCELAIN & BOWL CLEANER. Active Ingredients: Hydrogen Chloride 9.5%; n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.115%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.115%; Tripropylene glycol methyl ether 0.83%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4643-ET. Dearborn Chemical Div., Chemed Corp., Lake Zurich IL 60047. DEARODE 732. Active Ingredients: Bis-(tributyltin) oxide 2.38%; N-Alkyl (7% C8, 6.5% C10, 53% C12, 19% C14, 8.5% C16, 6% C18) 1,3-Propanediamine 15.00%; n-Alkyl (60% C14, 5% C12, 30% C16, 5% C18) dimethyl benzyl ammonium chloride 7.50%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-EE. Chem-Pak Co., PO Box 757, Miami FL 33143. C QUICK. Active Ingredients: Dimethylarsinic acid 20.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-EG. Chem-Pak Co. C SPRINKL. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 0.25%; Isooctyl Ester of Silvex (2-(2,4,5-Trichlorophenoxy) propionic acid) 0.25%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-EL. Chem-Pak Co. C METHOXYCHLOR 2 EC. Active Ingredients: Methoxychlor Technical 25.0%; Petroleum Distillate 70.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-EN. Chem-Pak Co. C FLORIDA LAWN WEED KILLER. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 34.5%; Isooctyl Ester of Silvex (2-(2,4,5-Trichlorophenoxy) propionic acid) 32.6%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-ER. Chem-Pak Co. C QUICK "TG". Active Ingredients: Monosodium Acid Methanesulfonate 25.8%; Sodium Cacodylate 10.4%; Dimethylarsinic Acid (Cacodylic Acid) 1.8%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-EU. Chem-Pak Co. C ZINEB FUNGICIDE. Active Ingredients: Zineb (Zinc Ethylene Bis Dithiocarbamate) 75%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7478-RO. Chem-Pak Co. C MANEB FUNGICIDE. Active Ingredients: Maneb (Manganese ethylenebisdithiocarbamate) 80.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 7173-RLT. Chempar Chemical Co., Inc., 260 Madison Ave., New York NY 10016. CHEMPAR ROZOL RODENTICIDE (WATER SOLUBLE) CONCENTRATE. Active Ingredients: 2-(p-chlorophenyl) phenylacetate-1,3-indandione 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 239-EUGE. Chevron Chemical Co., Ortho Div., 940 Hensley St., Richmond CA 94804. ORTHO LIQUID LAWN DISEASE CONTROL. Active Ingredients: Chlorothalonil (tetrachloroisophthalonitrile) 29.6%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1109-GE. Cities Service Co., PO Box 50360, Atlanta GA 30302. CITCO COPPER SULFATE HI SOL-CRYSTALS. Active Ingredients: Copper Sulfate (Pentahydrate) 99.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6621-LA. Eagle Chemical Co., 2819 W. Lake St., Chicago IL 60612. MINUS 24 WEED AND BRUSH CONTROL. Active Ingredients: Petroleum oil 96.07%; Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 0.97%; Pentachlorophenol 0.79%; Other chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6621-LI. Eagle Chemical Co. LIQUID WEED KILLER #1. Active Ingredients: Petroleum oil 94.94%; 2,4-Dichlorophenoxyacetic acid, isooctyl ester 1.09%; Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 0.98%; Pentachlorophenol 0.80%; Other chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6621-LT. Eagle Chemical Co. WEED KILLER #6. Active Ingredients: Petroleum oil 96.00%; 2,4-Dichlorophenoxyacetic acid, isooctyl ester 1.10%; Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 0.81%; Pentachlorophenol 0.79%; Other Chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3770-GER. Economy Products Co., Inc., PO Box 427, Shenandoah IA 51601. PRESSURIZED FLY SPRAY FOR HORSES AND SHOW STOCK. Active Ingredients: Butoxypropylene glycol 15.00%; Technical Methoxychlor 2.00%; Technical Piperonyl Butoxide 1.07%; Pyrethrins 0.31%; Mineral Oil 1.80%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2517-RG. Geisler Pet Products, Inc., 3902 Leavenworth St., Omaha NE 68105. GEISLER DOG TICK & FLEA SOAP. Active Ingredients: Pyrethrins 0.050%; Technical Piperonyl Butoxide 0.100%; N-Octyl bicycloheptene dicarboximide 0.166%; Petroleum Distillate 0.240%; 2,3,4,5 Bis (delta-2-butylene) tetrahydrofurfural 0.200%; Anhydrous Soap 83.000%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 869-RLE. Green Light Co., PO Box 16192, San Antonio TX 78246. GREEN LIGHT FRUIT AND VEGETABLE SPRAY. Active Ingredients: Malathion 50%; Xylene 39%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 334-UNI. Hysan Corp., 919 W. 38th St., Chicago IL 60609. TOWER ALGAECIDE 15. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylenedichloride] 15.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-UNO. Hysan Corp. TOWER ALGAECIDE 10. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-UNT. Hysan Corp. TOWER ALGAECIDE 20. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 20.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 334-URE. Hysan Corp. POOL ALGAECIDE 40. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 40.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-URG. Hysan Corp. POOL ALGAECIDE 60. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 60.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-URL. Hysan Corp. TOWER ALGAECIDE N 17.5. Active Ingredients: Disodium cyanodithiolimidocarbonate 7.35%; Potassium N-methyldithiocarbamate 10.15%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-URN. Hysan Corp. POOL ALGAECIDE 10. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-URR. Hysan Corp. POOL ALGAECIDE 15. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 15.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 334-URU. Hysan Corp. TOWER ALGAECIDE N 8.75. Active Ingredients: Disodium cyanodithiolimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 1021-RGGG. McLaughlin Gormley King Co., 8810 Tenth Ave., N. Minneapolis MN 55427. PYROCIDE INTERMEDIATE 7238. Active Ingredients: Pyrethrins 1.43%; Piperonyl butoxide, technical 2.86%; N-octyl bicycloheptene dicarboximide 2.86%; 2-(1-Methylethoxy) phenol methylcarbamate 7.15%; Petroleum distillate 7.86%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1021-RGGG. McLaughlin Gormley King Co., 8810 Tenth Ave., N. Minneapolis MN 55427. PYROCIDE FOGGING FORMULA 7240. Active Ingredients: Pyrethrins 3.00%; Piperonyl butoxide, technical 6.00%; N-octyl bicycloheptene dicarboximide 10.00%; Petroleum distillate 81.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5298-EE. Old Fox Chemical, Inc., 66 Valley St., East Providence RI 02914. OLD FOX GRANULAR TURF AND GARDEN INSECT CONTROL. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5298-EG. Old Fox Chemical, Inc. OLD FOX DIAZINON 14 G SOIL AND CROP INSECT CONTROL. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 14%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5298-ER. Old Fox Chemical, Inc. OLD FOX DIAZINON 2%. GRAN LAWN INSECT CONTROL. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2169-ELE. Patterson Chemical Co., 1400 Union Ave., Kansas City MO 64101. GREEN-UP PLICTRAN 50W WETTABLE POWDER MITICIDE. Active Ingredients: Tricyclohexyltin hydroxide 50.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1124-IG. Purex Corp., 24600 S. Main St., Carson CA 90745. GUARDEX ALGAEICIDE 40. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 40%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 602-ELA. Ralston Purina Co., Checkerboard Square, St. Louis MO 63188. PURINA FACEFLY BOMB. Active Ingredients: Pyrethrins 0.18%; Piperonyl butoxide, technical 0.36%; N-octyl bicycloheptene dicarboximide 0.60%; Di-n-propyl isocinchomeronate 1.20%; Petroleum Distillate 77.66%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 538-RGN. O. M. Scott & Sons, Marysville OH 43040. TURF BUILDER PLUS MOSS CONTROL. Active Ingredients: Ferrous Ammonium Sulfate 17.41%; Pentachlorophenol 1.85%; Other Chlorinated Phenols 0.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 538-RGR. O. M. Scott & Sons, Marysville OH 43040. LAWN MOSS CONTROL WITH FERTILIZER. Active Ingredients: Ferrous Ammonium Sulfate 18.24%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4000-AT. Southern Chemical Products Co., PO Box 205, Macon GA 31202. RESIDUAL ROACH SPRAY. Active Ingredients: Pyrethrins 0.050%; Piperonyl butoxide, technical 0.100%; N-octyl bicycloheptene dicarboximide 0.166%; 2-(1-methylethoxy) phenol methylcarbamate 0.500%; Petroleum distillate 91.730%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2279-T. Southern Protective Products Co., 1135 Sylvan Rd., SW, Atlanta GA 30310. SOUTHERN 2310 CLEAR WOOD PRESERVATIVE. Active Ingredients: Pentachlorophenol 3.95%; Other Chlorophenol and related compounds 1.24%. Method of Support: Application proceeds under 2(c) of interim policy.

REPUBLISHED ITEM

The following item represents a correction in the list of Applications Received published in the FEDERAL REGISTER of December 10, 1974 (39 FR 43102).

EPA File Symbol 12456-EE. Aqua Chemical Corp., 1 Allen St., Springfield MA 01108. AQUAMAID ALGAEICIDE. Active Ingredients:

ents: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.2%; n-Dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methyl benzyl ammonium chlorides 0.8%. Originally published as n-Dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methyl benzyl ammonium chlorides.

Dated: December 13, 1974.

JOHN B. RITCH, Jr.,

Director, Registration Division.

[FR Doc.74-29707 Filed 12-26-74; 8:45 am]

[FRL 313-4]

SCIENCE ADVISORY BOARD, HAZARDOUS MATERIALS ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Hazardous Materials Advisory Committee of the Science Advisory Board will be held beginning at 8:30 a.m., January 13, 1975, in Room 3307, Waterside Mall, 401 M Street, SW., Washington, D.C. Individuals without an EPA Building Pass, must enter at the West Tower. This is a tentative meeting date. Persons planning to attend should contact the Acting Executive Secretary by January 8, 1975 (approximately 5 days prior to the meeting) for final confirmation.

This is a regularly scheduled meeting of the Committee. The agenda includes presentations and discussions on the Environmental Protection Agency's Environmental Sciences Research Programs—Health Effects and Ecological Processes and Effects; Pesticide Registration as related to the use of pesticides on minor crops; toxicology and the use of primates in research; developments in the utilization of solid waste; member items of interest; and comments by program liaison representatives.

The meeting is open to the public. Any member of the public wishing to attend, participate, or obtain additional information should contact Dr. J. Frances Allen, Acting Executive Secretary, Hazardous Materials Advisory Committee, (703) 557-7720.

ALBERT C. TRAKOWSKI,

Acting Assistant Administrator
for Research and Development.

DECEMBER 20, 1974.

[FR Doc.74-30140 Filed 12-26-74; 8:45 am]

[FRL 313-3]

SCIENCE ADVISORY BOARD, NATIONAL AIR QUALITY CRITERIA ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the National Air Quality Criteria Advisory Committee of the Science Advisory Board will be held at 9 a.m. on January 16, 1975 in Conference Room A (Room 1112), Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

The purpose of the meeting will be (1) to consult the committee regarding atmospheric suspended sulfates; (2) to

brief the committee on and to discuss the preparation of scientific and technical assessment reports of the EPA Office of Research and Development; (3) to brief the committee on and to discuss the functions and activities of the EPA Science Advisory Board; and (4) to discuss the future role of the committee and ways of assuring its effectiveness. The agenda will also include (5) brief reports or informational items of current interest to the members.

The meeting will be open to the public. This is a tentative meeting date and any member of the public wishing to attend or submit a paper should contact the Executive Secretary, Mr. Ernst Linde, Scientist Administrator, National Environmental Research Center, Environmental Protection Agency, Research Triangle Park, North Carolina 27711 by January 9, 1975 for final confirmation.

The telephone number is (919) 549-8411, extension 2266.

ALBERT C. TRAKOWSKI,

Acting Assistant Administrator
for Research and Development.

DECEMBER 20, 1974.

[FR Doc.74-30141 Filed 12-26-74; 8:45 am]

FEDERAL HOME LOAN BANK BOARD

[No. 74-1316]

FEDERAL ASSOCIATIONS IN ILLINOIS

Applications for Permission To Establish Branch Offices, Mobile Facilities and Satellite Offices; Policy Statement

DECEMBER 19, 1974.

Under its statement of policy set out in paragraph (b)(1) of § 556.5 of the rules and regulations for the Federal Savings and Loan System (12 CFR 556.5 (b)(1)), the Federal Home Loan Bank Board began processing and considering applications from Federal associations in Illinois for de novo branch offices, mobile facilities, and satellite offices of associations on February 1, 1973. In order to effect an orderly transition in Illinois, the Board has imposed certain limitations with respect to such applications as set forth in Resolution No. 73-178, dated February 7, 1973, as amended by Resolution No. 73-2035, dated December 28, 1973, and by Resolution No. 74-506, dated June 5, 1974. Effective January 1, 1975, those limitations are modified to read as follows:

1. Only one application may be on file at any one time during the period January 1, 1975 through June 30, 1975.

2. An application on file at December 31, 1974 may thereafter be approved by the Board.

3. Only one application filed after December 31, 1974 may be approved by the Board during the period January 1, 1975 through June 30, 1975.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,

Assistant Secretary.

[FR Doc.74-30222 Filed 12-26-74; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP74-90]

CONSOLIDATED GAS SUPPLY CORP.

Order Granting Interventions

DECEMBER 18, 1974.

On May 16, 1974, Consolidated Gas Supply Corporation (Consolidated) tendered for filing proposed changes in its FPC Gas Tariff¹ to provide for a rate increase in jurisdictional revenues of approximately \$24.9 million annually based upon claimed costs and revenues for twelve months ended January 31, 1974, as adjusted.

Letters of protest, comments or petitions to intervene were due on or before June 14, 1974. The following parties filed untimely interventions:

Transcontinental Gas Pipe Line Corporation
Public Utilities Commission of Ohio

The participation of the above-named Company and State Commission may be in the public interest and therefore, their untimely intervention shall be granted.

The Commission finds:

The participation of the above-named parties may be in the public interest.

The Commission orders:

(A) The above-named parties are permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission and the procedures set forth in the Commission Order of June 28, 1974: *Provided, however*, That participation of said intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their petitions to intervene: *And Provided, further*, The admission of said intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered in this proceeding.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30035 Filed 12-26-74; 8:45 am]

[Docket No. CP74-169]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Notice of Amendment to Application

DECEMBER 18, 1974.

Take notice that on December 9, 1974, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), 300 North St. Joseph Avenue, Hastings, Nebraska 68901, filed in Docket No. CP74-169 an amendment to its application filed on December 13, 1973,¹ in said docket requesting a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act to reflect the cancellation of the original agreement which was the sub-

ject of this proceeding and replacement with a new agreement which differs to the extent that delivery points are changed and no purchase of gas by Applicant is contemplated, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

In its original application, Applicant proposed a gas exchange and purchase arrangement with Natural Gas Pipeline Company of America (Natural) whereby up to 25,000 Mcf of gas per day would be exchanged between the two companies. During the first year of said arrangement Applicant was to purchase 25 percent of the volumes delivered by Natural at a proposed price of 50.0 cents per Mcf and retain the remaining 75 percent for Natural's account. Applicant further proposed to construct and operate certain facilities to effectuate the deliveries under the proposed exchange at an estimated cost of \$20,100.

Applicant now proposes a new exchange arrangement pursuant to a contract dated August 15, 1974, which is substantially similar to the original agreement but differs in certain respects. The August 15, 1974, contract makes no provisions for the purchase of gas by Applicant but contemplates a gas-for-gas exchange with no monetary compensation. Delivery points are changed to different locations in the same counties. Applicant will not be required to install and operate the facilities proposed in the original application to effectuate the exchange. The application states that all facilities necessary to effectuate deliveries under the new exchange agreement will be installed and operated by Natural. The August 15, 1974, contract states that Applicant will be totally reimbursed by Natural for installation of any facilities on Applicant's system necessary to effect delivery pursuant to the agreement. No other substantial changes to the originally requested authorization are proposed.

Applicant states that it understands Natural has filed an amended application in Docket No. CP 74-166 to reflect the provisions of the August 15, 1974, exchange agreements.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before January 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30029 Filed 12-26-74; 8:45 am]

[Docket No. CP74-102]

TEXAS EASTERN TRANSMISSION CORP.

Amendment to Application

DECEMBER 18, 1974.

Take notice that on December 2, 1974, Texas Eastern Transmission Corporation (Applicant), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP74-102 an amendment to its application, as amended, filed in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing the construction and operation of certain natural gas transportation facilities in lieu of those facilities originally proposed, all as more fully set forth in the amendment, which is on file with the Commission and open to public inspection.

In its original application, notice of which was published in the FEDERAL REGISTER on November 11, 1973 (38 FR 31050), Applicant proposed to construct 70 miles of 24-inch pipeline from the Block 349 Field, Eugene Island Area, South Addition, to the terminus of its certificated offshore pipeline in Block 286, East Cameron Area, and 47 miles of 24-inch pipeline loop to its existing pipeline between Block 286 and Block 272, West Cameron Area, for the purpose of attaching volumes of natural gas from wells drilled in Block 349. In the first amendment to the application in the instant docket, notice of which was published in the FEDERAL REGISTER on February 6, 1974 (39 FR 4690), Applicant amended its original request to request authorization, in addition to those facilities already proposed, for facilities to enable the purchase and transportation of natural gas from Block 333, Eugene Island Area. These facilities consisted of 4.0 miles of 12-inch pipeline extending from Block 333 to the 24-inch pipeline proposed in the original application.

By the instant amendment Applicant proposes to construct a 30-inch pipeline with an initial maximum capacity of 192,000 Mcf per day instead of the 24-inch pipeline to Block 349 and to extend the pipeline from Block 333 to Block 286 instead of from Block 349 to Block 286. Applicant further proposes to eliminate the 24-inch loop in the original application and to add a 27,750 H.P. onshore compressor station, with appurtenant facilities, near Grand Chenier, Louisiana.

Applicant estimates the cost of the facilities now proposed in the instant proceeding at \$92,192,075, as opposed to \$67,645,000 for the facilities proposed in the original application and the first amendment.

Applicant states that the filing of this second amendment is necessitated by the recent filing by Applicant and Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), in Docket No. CP75-127 of an application for authorization to construct and operate facilities connecting Block 349 with Tennessee's offshore pipeline system in Block 198, Ship Shoal Area, and connecting Applicant's offshore pipeline system in Block 245, East Cameron Area, to Block 281, East Cameron Area, and for authorization for Applicant and Tennessee to

¹ See Order issued June 24, 1974 for listing of tariff sheets affected by the May 16, 1974, filing.

² Notice was published in the FEDERAL REGISTER on January 15, 1974 (39 FR 1881).

receive offshore and exchange onshore up to 140,000 Mcf per day of gas for each other. Therefore, according to the instant amendment, the 140,000 Mcf of gas which Applicant states is available from Block 349 would be delivered onshore to Applicant by an exchange with Tennessee, thus obviating the need for the originally proposed pipeline extending to Block 349.

Applicant further states, as a reason for requesting authorization for the increase in size of the originally proposed pipeline from 24 inches to 30 inches, that it needs additional capacity in its offshore system to enable it to take substantial additional gas supplies which it estimates will become available to Applicant from the Block 333 area and in blocks in the vicinity of Block 333 or in close proximity to the proposed pipeline. Applicant states that it has obtained rights to purchase gas from Mesa Petroleum Company and Mobil Oil Corporation (Mobil) in Block 333 and cites negotiations for purchase of gas in nearby blocks or in blocks in the vicinity of the proposed pipeline with Mobil, Exxon Corporation, Gulf Oil Corporation, Texaco, Inc., Pennzoil Marathon Oil Company (Operator), Conoco, Getty and Cities Service. Applicant asserts the need for construction of the pipeline proposed in the instant amendment for the purpose of placing Applicant in a position to negotiate with the successful lease bidders for the purchase of gas from the subject area. Applicant states that the route of the proposed pipeline overlies or is in close proximity to offshore blocks which were leased in the lease sale of March 1974 and that the route would be within five or ten miles of 26 other blocks leased in the lease sale of October 1974.

Applicant justifies the proposed compressor near Grand, Chenier in lieu of the 24-inch loop pipeline originally proposed by the need to provide additional capacity for transporting gas involved in the exchange with Tennessee proposed in Docket No. CP75-127 and for transporting expected volumes of gas in the vicinity of the 30-inch line proposed in the instant amendment.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30033 Filed 12-26-74; 8:45 am]

[Docket Nos. CI72-555, CI72-556; RI75-29, RI75-30]

TEXAS PACIFIC OIL CO., INC.

Order Consolidating Proceedings, Providing for Hearing, Setting Date for Prehearing Conference, Granting Interventions and Granting Motion to Amend

DECEMBER 18, 1974.

On September 9, 1974, Texas Pacific Oil Company, Inc. (Texas Pacific), filed two petitions for special relief in Docket Nos. RI75-29 and RI75-30, each seeking a rate above the applicable area ceiling under Opinion No. 586 and the nationwide rate under Opinion No. 669.¹ In Docket No. RI75-29, Texas Pacific seeks a rate of 55 cents per Mcf of natural gas with annual escalations of 1 cent per Mcf for the sale of gas to Panhandle Eastern Pipeline Company (Panhandle Eastern) and in Docket No. RI75-30, Texas Pacific seeks a similar rate for the sale of gas to Kansas-Nebraska Natural Gas Company (Kansas-Nebraska) with both sales to be made from currently producing wells and from future wells to be drilled on acreage within the Reydon Area located in Roger Mills County, Oklahoma and Hemphill County, Texas.

Notice of each petition was issued on September 18, 1974, and appeared in the FEDERAL REGISTER at 39 FR 34337, 34338 on September 24, 1974. Kansas-Nebraska filed a timely petition to intervene in Docket No. RI75-30 on October 7, 1974 and Panhandle Eastern filed an untimely petition to intervene in Docket No. RI75-29 on October 9, 1974.

On September 20, 1974, Texas Pacific filed a motion to amend its petition designated as Docket Nos. RI75-30 and CI72-556, to correct several errors in a footnote which do not substantively affect the petition and application.

Texas Pacific in both petitions states that it intends to commit an additional 9,563 acres of previously uncommitted acreage within the ultra-deep Reydon Area to Panhandle Eastern and Kansas-Nebraska on an equal basis and requests that its Temporary Certificates of Public Convenience and Necessity in Docket Nos. CI72-555 and CI72-556² be amended accordingly. Texas Pacific further states that its new contract requires it to drill or participate in at least five new wells on the total dedicated acreage in the Reydon Area within the next three years. The additional costs incurred by operating and drilling below 15,000 feet are cited by Texas Pacific as economic justification for the proposed higher rate.

As we stated in Opinion No. 699, we believe that it is important to state that applications for special relief or under the optional procedure from the national rate based upon well depths greater than 15,000 feet and increasing water depths will be considered on the total cost of

¹ Section 2.56(h)(6)(ii) of the Commission's General Policy and Interpretations.

² Texas Pacific's current certificate authorization for sale of gas to Panhandle Eastern is provided in Docket No. CI72-555 and its certificate authorization for sale of gas to Kansas-Nebraska is provided in Docket No. CI72-556.

the project including return on the invested capital.³ All such applications will be decided on an ad hoc basis to insure that each project is fairly treated.⁴

The proper cost data and methodology necessary to support these petitions are issues in determining a just and reasonable rate and we deem it in the public interest to set a prehearing conference for discussion of these matters by the interested parties.

The Commission finds:

(1) It is in the public interest and convenience that Docket Nos. RI75-29, CI72-555 and RI75-30, CI72-556 be consolidated and set for hearing.

(2) It is desirable and in the public interest to allow Panhandle Eastern and Kansas-Nebraska to intervene in this proceeding.

(3) Good cause exists to allow the amendment in Docket Nos. CI72-556 and RI75-30.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 14 and 16 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR, Chapter I) Docket Nos. RI75-29, CI72-555, RI75-30 and CI72-556 are consolidated and set for public hearing.

(B) Pursuant to the authority of Section 1.11 of the General Rules of the Federal Power Commission, Texas Pacific's motion to amend the petition designated as Docket Nos. CI72-556 and RI75-30 is hereby granted.

(C) On or before January 16, 1975, Texas Pacific, Panhandle Eastern and Kansas-Nebraska shall file their direct testimony and evidence in support of the petitions. All testimony and evidence filed herein shall be served upon the Presiding Administrative Law Judge, Commission Staff, and all other parties to the proceeding.

(D) On January 30, 1975, a prehearing conference shall be held in accordance with § 1.18 of the rules of practice and procedure to resolve the issues herein in a hearing room of the Federal Power Commission, Washington, D.C. 20426, at 10 a.m. (E.s.t.).

(E) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose shall convene the prehearing conference in the proceeding.

(F) The Administrative Law Judge may in his discretion grant recesses from time to time if he deems a settlement or submission of the issues upon stipulated facts to be possible. If no stipulation or settlement can be reached by the parties hereto after reasonable time and provisions have been made for the same, the Presiding Administrative Law Judge shall establish the time for the submission of other evidence by any party desiring so to do, and the commencement of the hearing, and shall prescribe rele-

³ — FPC —, —, Opinion No. 699 at 132-133.

⁴ *Id.*, and also see Opinion No. 699-H at 59-60.

vant procedural matters not herein provided.

(G) Panhandle Eastern and Kansas-Nebraska are permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene: *And provided, further,* That the admission of such interests shall not be construed as recognition by the Commission that such intervenor might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30034 Filed 12-26-74; 8:45 am]

[Docket No. RP74-88]

NORTH PENN GAS CO.

Notice of Conference on Rates and Charges

DECEMBER 18, 1974.

This will confirm the telephone call to the parties in the above proceedings that a conference will be held on December 20, 1974 with the Applicant, North Penn Gas Company (North Penn), and the Commission Staff in the Commission's Conference Room No. 8402, at 825 North Capitol Street, NE, Washington, D.C., at 10 a.m. (EST).

The conference will be held pursuant to § 1.18 (Conferences, Offers of Settlement) of the Commission's rules of practice and procedure (18 CFR 1.18). Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, such attendance at the conference will not be deemed to authorize such intervention as a party in the proceedings.

In accordance with the provisions of § 1.18 of the rules, all parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of North Penn's proposed rate increase, filed on May 15, 1974, and any procedural matters preparatory to a full evidentiary hearing, or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference. Failure to attend the conference shall constitute a waiver of all objections to stipulations and agreements reached by the parties in attendance at the conference.

Copies of this notice are being mailed this date to all jurisdictional customers and interested State commissions.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30031 Filed 12-26-74; 8:45 am]

NORTHWEST PIPELINE CORP.

Notice of Application

[Docket No. CP75-170]

DECEMBER 18, 1974.

Take notice that on December 9, 1974, Northwest Pipeline Corporation (Applicant), P.O. Box 1528, Salt Lake City, Utah 84110, filed in Docket No. CP75-170 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission for and approval of the abandonment, for the calendar year 1975, and operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment will not exceed \$3,000,000 nor will the cost of any single project exceed \$500,000. Applicant states that the proposed facilities will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to

intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-30032 Filed 12-26-74; 8:45 am]

[Docket No. CP75-168]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Notice of Application

DECEMBER 19, 1974.

Take notice that on December 9, 1974, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), 300 North St. Joseph Avenue, Hastings, Nebraska 68901, filed in Docket No. CP75-168 an application pursuant to section 7 of the Natural Gas Act for authorization to abandon its present tap and metering facilities serving the alfalfa dehydration plant of Consolidated Blenders, Inc. (Consolidated), in Lexington, Dawson County, Nebraska, and to install a new tap and metering facilities so as to be able to serve Consolidated at the desired point of relocation of its plant facilities near Overton, Nebraska, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that it currently delivers gas to Consolidated pursuant to authority granted in Docket No. G-1180 at a point on Applicant's existing 6-inch transmission line in Lexington. The relocation of Consolidated's plant to Overton is said to be, in part, contingent upon applicant's obtaining Commission approval for the relocation of the existing plant delivery point to a point approximately 15.6 miles east of the existing delivery point. Applicant states that relocation of the delivery point will not alter the conditions of service or the quantities of gas delivered as provided in the existing service agreement between Applicant and Consolidated.

Applicant estimates the salvage value of the existing delivery point, which it proposes to abandon, at \$1,900 and the cost of the proposed new facilities at \$4,500.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 10, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in

determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30233 Filed 12-26-74;8:45 am]

[Docket No. CP75-167]

MICHIGAN WISCONSIN PIPE LINE CO.
Notice of Application

DECEMBER 19, 1974.

Take notice that on December 6, 1974, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP75-167 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate facilities for the reinforcement of its gathering systems in the Woodward and Laverne Areas of Oklahoma, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that it operates extensive natural gas gathering systems in the Laverne and Woodward Areas of Oklahoma incident to its purchase of gas in said areas. The gas sales contracts are said to obligate Applicant to operate its gathering systems at such line pressures as may be required to permit not less than 75 percent of all connected wells to flow at natural pressure into the gathering systems; and where the wellhead pressure is too low to permit gas to flow into Applicant's gathering systems, Applicant's right to purchase gas is subject to termination. Applicant further states that it has been purchasing gas in the Laverne Area since 1958 and in the Woodward Area since 1960 and that, as a result of these extended periods of production and the fact that numerous other pipeline companies which purchase

gas in the same areas, in many instances from the same pools and wells as Applicant, have already reduced the pressures at which their gathering systems operate thereby draining Applicant's producers' reserves as gas flows into the lower pressure gathering systems, field pressures have steadily and predictably declined to a point where Applicant's ability to purchase gas with existing facilities will soon be severely restricted.

In order to enable it to meet its contractual obligations to its producers, to restore declining deliverability and to assure maximum recovery of committed gas reserves, Applicant proposes to construct and operate facilities which will enable it to reduce the operating pressures in its Laverne and Woodward gathering systems. The total estimated cost of the proposed facilities is \$20,282,600 to be financed initially with treasury funds, retained earnings and other funds generated internally, together with borrowings from banks under short term lines of credit as required.

Specifically, Applicant proposes to construct in the Laverne Area three segments of 16-inch loop line with an aggregate length of 11.3 miles, one segment of 20-inch loop 3.9 miles in length, four new satellite compressor stations with an aggregate of 3,400 horsepower and a 12,000 horsepower compressor unit in its existing Laverne Compressor Station. Applicant states that it expects throughput increases in the Laverne system as a result of the proposed facilities from 152,900 Mcf to 214,400 Mcf per day. In the Woodward Area Applicant proposes to construct 5.6 miles of 6-inch loop, 12.5 miles of 10-inch loop, 6.2 miles of 12-inch loop, 27.4 miles of 16-inch loop, five new satellite compressor stations with an aggregate of 7,130 horsepower and an aggregate of 8,400 horsepower in three existing satellite stations. The Woodward facilities will result, according to Applicant, in an increase of throughput from 170,500 Mcf per day to 219,200 Mcf per day. Applicant states that the increase of throughput levels in the Laverne and Woodward systems merely restores throughput to historical levels.

Applicant further states that the proposed facilities will not result in any expansion of capacity but will permit Applicant to maximize recovery of dedicated gas reserves and continue to receive into its Laverne and Woodward gathering systems essentially the same volumes of gas as in prior years. Applicant proposes no new or additional sales.

Applicant states that the proposed loop lines will be constructed on, or immediately adjacent to, its existing rights-of-way, that compressor facilities will be installed either as additions to existing compressor stations or at new sites located on, or immediately adjacent to, its existing rights-of-way.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 8, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and pro-

cedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30232 Filed 12-26-74;8:45 am]

[Docket No. E-9063]

MISSOURI POWER AND LIGHT CO.
Notice of Supplemental Filing

DECEMBER 18, 1974.

Take notice that on December 2, 1974, Missouri Power and Light Company (Missouri) tendered for filing additional data intended to make complete its original filing on October 15, 1974 in this docket. The data is submitted in response to a deficiency letter issued by the Secretary.

In addition to an impact by the proposed changes upon the City of Centralia, Missouri, as noted in the Notice of Application for Rate Increase (issued October 29, 1974), Missouri now states that the proposed changes will specifically affect the Cities of Perry and Linneus, Missouri as well.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 26, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene or protest. Copies of this application are on file with

the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30229 Filed 12-26-74;8:45 am]

[Docket No. E-9161]

MONONGAHELA POWER CO., ET AL.

Filing of Rates and Charges for New Service

DECEMBER 18, 1974.

Take notice that Allegheny Power Service Corporation (APSC) on December 9, 1974, tendered for filing on behalf of its affiliates, Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (the APS Companies) an Agreement between the APS Companies and UGI Corporation (UGI) for the sale by the APS Companies and the purchase by UGI of 50,000 kw of electric power and energy to be sold from the APS Companies' Harrison Station (Harrison Power) for a period of six years commencing January 1, 1975. The Agreement provides, among other things, that Harrison Power will be sold to UGI at a rate of \$3.95 per kw per month plus 110 percent of the out-of-pocket cost of energy delivered, including losses. Deliveries of energy to UGI will be scheduled for as many hours as UGI desires but not to exceed 50,000 kwh per hour, and such deliveries shall be made unless: (1) None of the three units of the Harrison Station is operating; (2) the APS Companies have received an order from an appropriate governmental body to curtail or for any other reason have curtailed the output of the Harrison Station as a result of a shortage of fuel; or (3) transmission of the energy is made impossible.

Applicants estimate that for the twelve months ended December 31, 1975 the demand charges will total \$2,370,000 (\$197,500 per month). Further, Applicants state that energy charges cannot be estimated at the present time since the cost of producing energy will vary and the number of kwh that UGI will take will vary from month to month.

Applicants state that no facilities need be constructed or acquired in connection with the sale and purchase of Harrison Power.

Applicants have requested the Commission to accept the Agreement for filing, to be effective on or before January 1, 1975, as they intend to commence the sale and purchase of Harrison Power as of that date. Accordingly, Applicants have requested waiver of any requirements of the Commission's rules and regulations deemed necessary and desirable by the Commission to grant the requested effective date.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure on or before December 30, 1974. Protests will be considered by the Commission

in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30230 Filed 12-26-74;8:45 am]

[Docket No. E-9046]

MONTAUP ELECTRIC CO.

Rate Changes and Other Proceedings

DECEMBER 18, 1974.

On October 1, 1974, Montaup Electric Company (Montaup) and its affiliated owner companies within the Eastern Utilities Associates System (EUA), Blackstone Valley Electric Company (Blackstone), Brockton Edison Company (Brockton), and Fall River Electric Light Company (Fall River), filed a series of documents¹ intended to effectuate a complete reorganization of their wholesale power supply arrangements. According to Montaup, the filings would make it responsible for wholesale bulk power supply service to its owner companies, as well as to non-affiliated wholesale customers now being served by those owner companies, and would provide for a new single rate for that service. Montaup further stated that the filing was intended to simplify and make more uniform the existing wholesale rate arrangements and enable the Federal Power Commission to consider changes in such arrangements in a single proceeding.

On November 18, 1974, Montaup tendered supplemental data intended to make complete its filing of October 1, 1974. This action was in response to a deficiency letter issued by the Secretary on October 29, 1974. At that time Montaup requested that the thirty day notice requirement of the Commission's regulations be waived to allow an effective date of December 1, 1974.

Timely petitions to intervene were filed by the Municipal Gas and Electric Department of Middleborough (Middleboro) on October 22, 1974, the Rhode Island Consumers' Council (Consumers Council) on October 22, 1974, and by the Narragansett Electric Company (Narragansett) on October 29, 1974. Both Middleboro and Narragansett included motions to reject as part of their filings, each claiming that the Mobile-Sierra² doctrine prohibits the proposed alteration of presently effective contracts.

Middleboro states that it is a partial requirements customer of Brockton under a contract dated April 26, 1965 and amended January 15, 1973, said amend-

ment effective November 1, 1973. Under this amendment, Middleboro argues, the term of the entire contract is fixed as well as the price to be charged, thereby justifying the motion to reject. In the alternative, Middleboro requests that the Commission reject Montaup's petition for waiver and impose a five month suspension, citing, inter alia, what Middleboro states to be unreasonably high rate of return (9.33 percent) and return on common equity (14 percent).

Narragansett states that it is presently purchasing power from Fall River under a contract dated January 31, 1931.³ Narragansett alleges that the contract, provides for unilateral changes in rates regulated by the Massachusetts Department of Public Utilities (MDPU) but not for unilateral changes in the rates not subject to the jurisdiction of the MDPU. Narragansett further states that the contract provides for changes in such rates only through a proceeding similar to a section 206 proceeding under the Federal Power Act.

Consumers Council states that the proposed changes will have an adverse effect on Rhode Island consumers and therefore requests a full five month suspension period.

Montaup's answer to the petitions of Middleboro and the Consumers Council was filed on October 25, 1974. Montaup states that it opposes the motion to reject of Middleboro as well as a similar motion expected from Narragansett. Montaup alleges that the most pertinent term of the 1965 Middleboro contract is a provision for general review, wherein the prices paid for electricity are subject to review and change by the Massachusetts Department of Public Utilities in any proceeding brought under Chapter 164 of the General Laws of Massachusetts, a procedure similar to a section 205 proceeding under the Federal Power Act. Montaup states that this provision indicates that the parties contemplated that the seller could unilaterally effect a change in rates, and cites City of Richmond v. F.P.C.⁴ as support for this argument.

The term of the Middleboro contract, as provided in the November 1, 1973 amendment thereto, is for ten years from the date of the amendment with a provision for termination on November 1 by either party giving 24 months notice. No such notice has been given. The provision for general review in the 1965 contract between Middleboro and Brockton reads as follows:

Governmental Review. This agreement is made subject to present or future state or federal laws and to present and future regulations or orders properly issued by state or federal regulatory bodies having jurisdiction and in particular, the prices to be paid for electricity hereunder as set forth herein shall be subject to review and determination by the

¹ Designated as shown on Appendix A, which is filed as part of the original document.

² United Gas Pipeline Co. v. Mobile Gas Service Corp., 350 U.S. 332 (1956) and F.P.C. v. Sierra Pacific Power Co., 350 U.S. 348 (1956).

³ Parties to the original contract were Fall River and Tiverton Electric Light Company (Tiverton). By indenture of assignment dated August 4, 1988, Tiverton assigned its interest under this contract to Narragansett.

⁴ 481 F.2d 490 (D.C. Cir. 1973); cert. denied 414 U.S. 1068 (1973).

Massachusetts Department of Public Utilities in any proceeding brought under Chapter 164 of the General Laws of Massachusetts, as amended, to the extent provided for and in accordance with the provisions of said Chapter so far as the same may be applicable in the premises.

Section 94 of Chapter 164 of the General Laws of Massachusetts required in 1965 that a filing "shall not become effective until the first day of the month next after the expiration of fourteen days from the filing thereof," and that the state agency had the authority to "suspend the taking thereof, from time to time, but not for a period longer than ten months beyond the time when such rate, price or charge would otherwise become effective." We agree with Montaup that this statute provides for a proceeding substantially similar to that in section 205 of the Federal Power Act. We therefore also concur that an intent was indicated (through the General Review provision) by the parties to provide for unilaterally filed rate changes. The basic issue lies in whether the November 1, 1973 Amendment to the contract alters the General Review provision. The pertinent provision of the Amendment reads as follows:

Now therefore, both parties find it mutually desirable to redefine and amend said Power Contract by inserting the following provisions after the Governmental Review clause of said contract of April 26, 1965, it is further understood and agreed that in the event there are provisions of said Power Contract that are inconsistent or in conflict with the within Amendment that the provisions of this Agreement shall prevail over the original contract provisions.

We find that the Amendment does not reform the Governmental Review clause. We also find that there are no inconsistent or conflicting provisions within the Amendment indicating that the parties intended to revise or revoke the Governmental Review clause. We therefore find the intent of the parties to be that Montaup could unilaterally effect a rate change, and we will accordingly deny Middleboro's motion to reject.

Article I of the Narragansett contract states that the term of the contract shall commence on January 31, 1931 and shall continue until terminated by either party giving to the other six months written notice of the date of termination. No such notice has been given. The other pertinent provisions in the Narragansett contract are found in Articles III and VIII, which state:

ARTICLE III. PRICE

The CUSTOMER shall each month pay to the POWER COMPANY for electricity taken hereunder during the next preceding month at the rate set forth in the POWER COMPANY's Rate Schedule For Primary Power as filed with the Massachusetts Department of Public Utilities as M.D.P.U. No. 303 or at such rate as may be filed with said Department from time to time in supersession thereof. A copy of said rate as at present in force and filed with said Department is attached hereto for reference and marked "Exhibit B."

ARTICLE VIII. REVISION OF PUBLIC UTILITIES COMMISSION

If at any time either of the parties hereto shall make a written claim upon the other party that the rates herein, not then subject to regulation by the constituted authority of any state, are unjust or unreasonable and the said parties fail to agree upon new rates within six (6) months after the date of said written claim, then either party may file an application with the Commission having jurisdiction over Electric Utilities in Massachusetts or the Commission having jurisdiction over Electric Utilities in Rhode Island requesting that the disagreement between said parties shall be determined by the Commission of both said states acting jointly and if a majority of the Commission of each said state, after hearing the parties, shall determine in accordance with law that a modification of this contract in respect to the rates set forth herein shall be made, such determination shall, from and after the date fixed in such determination, act as an automatic revision of the rates and such revised rates shall remain in force for the remainder of the term of this contract.

We find that Article VIII, which sets forth the procedures to be followed in the event the M.D.P.U. lost its jurisdiction over the subject matter, is the controlling provision. The provisions of Article VIII require a written claim made upon the other party that the contractual rates are unjust and unreasonable and six months thereafter an application for a hearing and a prospective remedy similar to that provided under section 206 of the Federal Power Act. Therefore, to permit a unilaterally filed rate change as to Narragansett would violate the rule set forth in the Mobile-Sierra cases. Furthermore, we cannot accept the instant filing as proper under section 206 of the Federal Power Act as Montaup has not complied with the six months notice requirement of Article VIII of the contract. Accordingly, we shall reject the proposed changes as they apply to Narragansett.

Our review of Montaup's filing and the issues raised therein indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, we shall reject Montaup's motion for waiver, suspend the proposal for five months, and establish hearing procedures to determine the justness and reasonableness of Montaup's filing.

The Commission finds.

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Montaup's revised rate schedule proposed in this docket and that the tendered rate schedules other than those applicable to Narragansett be suspended as hereinafter provided.

(2) Good cause exists to reject the proposed filings as to Narragansett.

(3) Good cause does not exist to grant Montaup's motion for waiver of the notice requirements of the Commission's regulations.

The Commission orders.

(A) Pending a hearing and a decision therein, Montaup's proposed changes in its rates and charges, other than those applicable to Narragansett, tendered on November 18, 1974, are accepted for filing, and suspended for five months, the use thereof deferred until May 19, 1975, subject to refund.

(B) Montaup's proposed filing as it applies to Narragansett is hereby rejected.

(C) Pursuant to the authority of the Federal Power Act, particularly section 205 thereof, and the Commission's rules and regulations, and the regulations under the Federal Power Act (18 CFR Ch. I), a public hearing shall be held on May 20, 1975, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, concerning the lawfulness of Montaup's proposed rate changes, other than those applicable to Narragansett, in Docket No. E-9046.

(D) On or before April 8, 1975, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence will be filed on or before April 22, 1975. Any rebuttal evidence by company shall be served on or before May 6, 1975.

(E) The above-named petitioners to intervene are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene.

(F) The motion of Narragansett to reject is hereby granted.

(G) The motion of Middleboro to reject is hereby denied.

(H) The motion of Montaup for waiver of the notice requirements of the Commission's regulations is hereby denied.

(I) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(J) The Secretary of the Commission shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission,*

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30237 Filed 12-26-74; 8:45 am]

[Docket Nos. RP71-119, RP74-31-24]

PANHANDLE EASTERN PIPE LINE CO.
AND ANCHOR HOCKING CORP.

Petition for Extraordinary Relief

DECEMBER 18, 1974.

Take notice that on December 12, 1974, Anchor Hocking Corporation ("Anchor Hocking") filed a petition for permanent extraordinary relief from the natural gas curtailments imposed by Panhandle Eastern Pipe Line Company

* Commissioner Brooke, dissenting, would prefer a one-day suspension.

("Panhandle") on Anchor Hocking's glass container plant located at Winchester, Indiana. Anchor Hocking, a direct sale customer of Panhandle, states that due to unexpected additional curtailments being imposed this winter season by Panhandle, Anchor Hocking could effectively lose delivery of the required 790 Mcf per average day necessary to fuel the feeders and annealing lehrs at the Winchester plant. If the minimum 790 Mcf of process gas per average day is curtailed, Anchor Hocking will not have sufficient gas to maintain full production and will as a result suffer irreparable injury. Without relief, the Winchester plant will have to shut down, at least in part. This will create a significant loss of employment in the town of Winchester, in which Anchor Hocking is by far the largest employer. Irreparable injury will also occur to Anchor Hocking itself and to its customers.

Accordingly, Anchor Hocking has moved for permanent extraordinary relief from curtailment through a Commission order requiring Panhandle to deliver to the Winchester plant 790 Mcf per average day, with a peak day of 875 Mcf. Any volume delivered pursuant to such extraordinary relief in excess of entitlements under the effective Panhandle curtailment plan would be subject to payback out of subsequent daily entitlements in excess of 790 Mcf per average day.

In order to avoid irreparable injury pending hearings on its request for permanent relief, Anchor Hocking has also moved for immediate temporary relief identical with the permanent relief requested. In this connection, Anchor Hocking requested and Panhandle has agreed to a grant of emergency relief from curtailments during the months of December and January.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said petition should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) on or before December 27, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30231 Filed 12-26-74; 8:45 am]

[Docket No. E-8492; Project No. 1835]

SIERRA CLUB AND NEBRASKA PUBLIC POWER DISTRICT

Intervention Out of Time, Requiring the Filing of an Exhibit W, Denying Applications for Rehearing, Providing for Hearing, and Setting Dates

DECEMBER 18, 1974.

On October 25, 1974, we issued an Order to Cease and Desist Construction, To Show Cause, and Consolidating Proceedings, to Nebraska Public Power District (NPPD). This order required NPPD to show cause under oath, if any there be, on or before November 15, 1974, why:

(1) The use of project lands and waters for the construction of the steam electric generating plant and related facilities within the project boundary does not require Commission approval.

(2) Section 2.81 of the Commission's rules and regulations, 18 CFR § 2.81 (1974), does not require the filing of an Exhibit W prepared in accordance with the Commission's rules and regulations.

NPPD was further ordered to cease and desist construction of steam electric generating facilities within the project boundary pending further order of the Commission.

On November 15, 1974, NPPD filed a response to that part of our Order which required NPPD to show cause. On November 18, 1974, NPPD filed an application for rehearing with respect to that part of our Order which required NPPD to cease and desist construction. We find nothing in these filings which would warrant any change in or modification of our Order of October 25, 1974.

This Commission has continuing authority over the use of project lands and waters under the Federal Power Act, particularly sections 4, 6, 10(a), 26 and 309 of the Act, and the license for Project No. 1835.

The gist of our concern was stated in our prior Order of October 25, 1974, as follows:

"... We believe the time for effective environmental review of the use of project lands and waters for cooling a steam electric generating plant is before construction. We cannot allow the construction of this facility to continue when NPPD may not be allowed to use project waters to operate and maintain the steam electric generating plant pursuant to Article 12..."

Nothing in either NPPD's response of November 15, 1974 or its application for rehearing filed November 18, 1974 provides any new facts or arguments to cause us to be any less concerned over the unauthorized use of project lands and waters, actual and proposed, in this matter.

We, therefore, believe that the stay of construction should be continued while we resolve the issues involved through the means of an expedited public hearing. Among the issues to be tried will be

the issue of the ecological impact on reservoir waters and lands of Project No. 1835, if used for cooling and what conditions must be imposed under section 10(a) to achieve comprehensive development if the proposed use of project waters and lands is to be permitted. In the interest of expediting the proceedings we are also requiring NPPD to file a report on environmental factors specified in § 2.80 of our regulations as part of its direct case. Commission Staff will be directed to prepare a draft environmental impact statement which, when finalized, is to be placed in the record with opportunity to further cross-examine witnesses upon it.

On November 25, 1974, Senators Hruska and Curtis and Representatives McCollister, Martin, and Thone of the Nebraska Congressional Delegation filed a petition to intervene and also filed a separate document entitled "Application of Senators and Representatives For Rehearing Of Order To Cease And Desist Steam-Electric Facilities And For Rehearing Of Denial Of Request For Approval Of Revised Project Boundary." On December 10, 1974, Sierra Club filed a response to the petition to intervene in which Sierra Club did not oppose intervention.

The petition to intervene recites that the Congressional Delegation was unaware of this proceeding until the Commission issued its Order of October 25, 1974. We believe the petition sets forth good cause for the late filing. We, therefore, accept the petition to intervene for filing and grant the intervention. For the reasons hereinbefore noted, we deny the application for rehearing.

The Commission finds.

(1) Although the above noted petition to intervene of the Nebraska Congressional Delegation was not timely filed, good cause exists for permitting such intervention.

(2) Participation by the Nebraska Congressional Delegation in these consolidated proceedings may be in the public interest.

(3) NPPD should be required to file a report on environmental factors specified in § 2.80 of our regulations.

(4) Upon receipt of NPPD's environmental report, Commission Staff shall prepare a draft environmental impact statement which, when finalized, shall be placed in the record of these proceedings with opportunity for cross-examination.

(5) The applications for rehearing of NPPD and the Nebraska Congressional Delegation presents no facts or legal arguments which require any change in or modification of our Order of October 25, 1974.

(6) It is appropriate and in the public interest that a public hearing be held respecting matters involved and issues presented in these consolidated proceedings.

The Commission orders.

(A) The Nebraska Congressional Delegation is hereby permitted to intervene in these consolidated proceedings subject to the rules and regulations of the Commission: *Provided*, That participation of the petitioner shall be limited to matters affecting asserted rights and interests specifically set forth in the petition to intervene: *Provided further*, That the admission of petitioner shall not be construed as recognition by the Commission that petitioner might be aggrieved by any order or orders entered in these proceedings.

(B) NPPD shall file a report on environmental factors specified in § 2.80 of our regulations.

(C) The applications for rehearing on NPPD and the Nebraska Congressional Delegation filed November 18, and November 25, 1974, in this proceeding are denied.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, and the Commission's rules of practice and procedure, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 N. Capitol Street NE, Washington, D.C., respecting the matters involved and the issues presented in this proceeding.

(E) The following procedure is prescribed for this proceeding:

1. NPPD shall file by February 14, 1975, with the Secretary of the Commission an original and ten copies of all testimony, including qualifications of the witnesses, and exhibits, including the environmental report, to be presented in licensee's direct case. Copies of such testimony and exhibits shall be served on all participants.

2. All other participants, including the Commission Staff, shall file by March 7, 1975, with the Secretary direct testimony and exhibits including qualifications of witnesses with copies served on all participants.

3. In the interest of expediting these proceedings, Commission Staff shall prepare a draft environmental impact statement which, when finalized, shall be placed in the record with opportunity to cross-examine thereon. Because of the need for expeditious treatment, opening of the hearing shall not be delayed until a finalized environmental impact statement is completed.

4. All motions to strike prepared testimony and exhibits and replies to such motions shall be filed with the Administrative Law Judge by March 21 and March 31, 1975.

5. The first hearing session will commence at 10:00 a.m. on Tuesday, April 8, 1975, in a hearing room of the Federal Power Commission to be specified at a later time. Subsequent hearing sessions, as needed, shall be scheduled by the Administrative Law Judge.

6. All of the testimony, except exhibits, shall be in question and answer form.

7. No exhibits, except those of which official notice may properly be taken, shall contain narrative material other than brief explanatory notes.

8. Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence in which it is to be marked for identification.

9. The Administrative Law Judge will specify the order of cross-examination and time to be permitted for preparation of rebuttal evidence.

10. The Administrative Law Judge may direct that a public hearing session in the vicinity of the project be held for the purpose of receiving statements of position from interested members of the public if he finds that it will be in the public interest. Public notice of such public hearing session should be given in the vicinity of the project prior to such hearing session.

11. If it becomes apparent that a saving of time or money may be achieved in clarifying relevant issues to be tried, the Administrative Law Judge shall hold a prehearing conference, at which, among other matters, the admission into evidence of relevant but uncontested facts without the necessity of presenting a sponsoring witness therefor shall be considered. If a statement of facts can be agreed upon by the parties, the Administrative Law Judge shall provide a briefing schedule and submit his initial decision to be followed by the filing of exceptions in accordance with §§ 1.29, 1.30 and 1.31 of the Commission's rules of practice and procedure.

12. For good cause shown the Presiding Administrative Law Judge may change the procedural date provided for above.

(F) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent they are modified or supplemented herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30236 Filed 12-26-74; 8:45 am]

[Docket No. RP72-91 (Phase II), etc.]

SOUTHERN NATURAL GAS CO.

Extension of Procedural Dates

DECEMBER 18, 1974.

On December 17, 1974, Southern Natural Gas Company filed a motion to extend the procedural dates fixed by order issued October 9, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows: Service of Company Testimony, January 16, 1975. Service of Staff's Testimony, February 13, 1975. Service of Intervenor's Testimony, February 27, 1975. Service of Company Rebuttal, March 13, 1975. Hearing, March 25, 1975 (10:00 a.m.) e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30234 Filed 12-26-74; 8:45 am]

[Docket No. RP75-24]

UNITED GAS PIPELINE CO. AND UTILITIES COMMISSION OF MONROE, LA.

Reduction of Time for Filing Answer

DECEMBER 18, 1974.

On December 16, 1974, Staff Counsel filed a motion requesting a reduction of the time for filing answers to Staff's motion of the same date "To Hold Proceedings in Abeyance, or in the Alternative, Motion to Dismiss Order to Show Cause Without Prejudice."

Upon consideration, notice is hereby given that pursuant to § 1.12(c) of Commission rules of practice and procedure the time for filing answers in the above matter is reduced to and including December 23, 1974.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-30235 Filed 12-26-74; 8:45 am]

FEDERAL RESERVE SYSTEM CENTRAL STATES BANCOR, INC.

Formation of Bank Holding Company

Central States Bancor, Inc., Des Moines, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 93.01 percent of the voting shares of Capital City State Bank, Des Moines, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than January 13, 1975.

Board of Governors of the Federal Reserve System, December 18, 1974.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.74-30196 Filed 12-26-74; 8:45 am]

CENTRAL BANCORPORATION, INC.

Order Approving Acquisition of Bank

The Central Bancorporation, Inc., Cincinnati, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of The Newark Trust Company, Newark, Ohio ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is the ninth largest banking organization in Ohio and controls eight

banks with aggregate deposits of \$926.5 million, representing approximately 3.3 percent of total commercial bank deposits in the State.¹ Applicant's acquisition of Bank would increase Applicant's share of deposits by approximately .2 percent, while Applicant's rank among the State's banking organizations would remain unchanged.

Bank (with deposits of \$63.9 million) is the second largest of six banking organizations in the Licking County banking market and controls approximately 25.5 percent of total commercial bank deposits in this market.² Bank is presently the sole banking subsidiary of Citizens Financial Corporation, Cleveland, Ohio ("Citizens"), a registered one-bank holding company. Citizens has filed an irrevocable declaration that it will cease to be a bank holding company by January 1, 1981, and this proposal represents its method of accomplishing that objective. Applicant's three subsidiaries nearest to Bank are approximately 15, 19 and 25 miles away, and there is no significant existing competition between Bank and any of these subsidiaries. In addition, none of Applicant's other subsidiary banks compete with Bank to any significant extent. Applicant seeks to acquire the second largest banking organization in a market in which the three largest banking organizations control, respectively, 45.5, 25.5 and 24.3 percent of total commercial bank deposits. Consummation of the proposed transaction would eliminate Applicant as a potential entrant into the relevant banking market. However, under the circumstances of this case, the Board does not regard the elimination of potential competition that would result from the consummation of this proposal as being significant. In particular, the Board notes that Bank's market position has been declining somewhat recently and that Applicant does not now occupy a significant position in either the State or in any of the banking markets adjacent to Licking County. Moreover, it appears unlikely that Applicant would attempt to enter the market either de novo or through the acquisition of one of the smaller banks in the market, none of which is located in Newark, the economic center of the market. Accordingly, on the basis of the facts of record, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and its subsidiary banks are regarded as generally satisfactory and consistent with approval. Bank's affiliation with Applicant should result in a strengthening of Bank's overall financial condition, as well as providing Bank with additional managerial expertise. Thus, the banking factors lend weight toward approval of the application.

In regard to considerations relating to convenience and needs, Applicant intends to supply Bank with access to Applicant's wide range of banking expertise, particularly in the areas of trust services and loan participations. In addition, Applicant proposes to direct Bank's loan funds into Bank's service area for residential, business, and personal loans. These considerations relating to the convenience and needs of the community to be served lend additional weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,³
effective December 16, 1974.

[SEAL]

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 74-30247 Filed 12-26-74; 8:45 am]

CENTRAL TEXAS FINANCIAL CORP.

Order Approving Acquisition of Banks

Central Texas Financial Corp., Brownwood, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of voting shares (less directors' qualifying shares) of the successors by merger to the Commercial National Bank of Brady, Brady, Texas ("Brady Bank") and Coleman Bank, Coleman, Texas ("Coleman Bank"). The banks into which Brady Bank and Coleman Bank are to be merged have no significance except as means to facilitate the acquisitions of the voting shares of Brady Bank and Coleman Bank. Accordingly, the proposed acquisitions of the successor organizations are treated herein as the proposed acquisitions of Brady Bank and Coleman Bank.

Notices of the applications affording opportunity for interested persons to submit comments and views have been given in accordance with section 3(b) of the Act. The times for filing comments and views have expired and none have been timely received. The Federal Reserve Bank of Dallas acting pursuant to delegated authority has considered the applications in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant currently controls one bank with aggregate deposits of \$37.6 million

representing 0.097 percent of the total commercial bank deposits in Texas.¹ Approval of the present acquisitions would cause Applicant to control aggregate deposits of \$65.4 million or 0.17 percent of deposits in the State. Approval would not produce a significant increase in the concentration of banking resources in Texas.

Brady Bank is located within the banking market approximated by McCulloch County. Brady Bank is the largest of three banks in the market controlling deposits of \$11.1 million or 46.8 percent of total market deposits. Applicant's nearest existing subsidiary is located in an adjacent county 47 miles from Brady Bank. Coleman Bank is situated within a banking market approximated by Coleman County. Coleman Bank is the largest of three banks in the market controlling deposits of \$16.7 million or 46.8 percent of total market deposits. Applicant's nearest subsidiary is located in an adjacent county 30 miles from Coleman Bank. Brady Bank and Coleman Bank are separated by a distance of approximately 52 miles. Approval of these applications will have no adverse effect on competition in either banking market although both Brady Bank and Coleman Bank are each the largest bank in their respective banking markets. The second-ranked banks in each of the banking markets are nearly as large as Brady Bank and Coleman Bank respectively. Approval of these applications will have no adverse effect on potential competition in any relevant area because of the distance of Applicant's banking subsidiary from the banks, Texas' restrictive branching laws, and the unattractiveness of both markets to de novo entry.

The financial and managerial resources and future prospects of Applicant, its subsidiary bank, Brady Bank and Coleman Bank, are regarded as generally satisfactory and consistent with approval in view of the addition of equity capital in the amount of \$75,000 to Coleman Bank. Although there is no evidence that the convenience and needs of the communities involved are not adequately being served, considerations of the convenience and needs of the communities to be served are consistent with approval. Applicant will be in a position to provide portfolio management advice, more complete trust services, credit investigation services, and computerized bookkeeping services. It is the judgment of the Federal Reserve Bank of Dallas that the proposed acquisitions serve the public interest and that the applications should be approved.

On the basis of the record, as summarized above, the Federal Reserve Bank of Dallas approves the applications, provided that the transactions shall not be consummated before the 30th calendar day following the effective date of this Order or later than three months after

¹ All banking data are as of December 31, 1973, unless otherwise indicated.

² The relevant banking market includes all of Licking County, which is bordered on the west by Franklin County, the center of the Columbus, Ohio, banking market.

³ Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallach and Coldwell. Absent and not voting: Chairman Burns.

¹ All deposit figures are as of December 31, 1973 and reflect bank holding company formations and acquisitions approved through October 1, 1974.

the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Federal Reserve Bank of Dallas, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective December 9, 1974.

[SEAL] ROBERT H. BOYKIN,
Secretary.

[FR Doc. 74-30244 Filed 12-26-74; 8:45 am]

DOMINION BANKSHARES CORP.

Order Approving Acquisition of Bank

Before the Federal Reserve Bank of Richmond acting under delegated authority by the Board of Governors of the Federal Reserve System.

Dominion Bankshares Corp., Roanoke, Virginia (Applicant), a bank holding company within the meaning of the Bank Holding Company Act (12 U.S.C. 1842), has applied for approval under section 3(a)(3) of the Act to acquire at least 80 percent of the voting shares of the Bank of Smithfield, Smithfield, Virginia (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, was given in accordance with section 3(b) of the Act and the time for filing all comments and views has expired. The Reserve Bank has considered the application and all comments received in the light of factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls ten banking affiliates operating 89 banking offices with aggregate deposits of \$993.4 million,¹ an amount equivalent to 7.9 percent of total commercial bank deposits in Virginia. In terms of deposits it is the state's fifth largest banking organization. Acquisition of Bank with deposits of \$14.2 million would increase Applicant's share of deposits in the state by approximately 0.1 percent. Consummation of the proposed transaction would not significantly increase the concentration of banking resources within the state.

Bank is one of three banking organizations located in the relevant geographic market, which is approximated by the Newport and Hardy Magisterial Districts of Isle of Wight County. Of these three, Bank ranks first, with 53.1 percent of the market's deposits, followed by the Smithfield branch of Virginia National Bank with 46.9 percent.² Although Applicant has ten offices representing three banks within 25 miles of Bank, no significant competition exists between Bank and any of Applicant's subsidiary banks and it is unlikely that any will develop in the future due to numerous legal, geographic and market barriers. It further appears that the market is not particularly attractive to de novo entry. Accordingly, on the basis of the record, it is concluded

that consummation of the proposed acquisition would not have significant adverse effects on competition in any relevant area.

The financial and managerial resources of Applicant are generally satisfactory, and future prospects appear favorable. Considerations relating to convenience and needs of the community to be served lend some weight in support of approval since Applicant's acquisition of Bank will enable the latter to offer a wider range of banking and financial services and provide an alternate source within the market for these services. It is the Reserve Bank's judgment, therefore, that the proposed acquisition would be in the public interest and that the application may be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board of Governors of the Federal Reserve System or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Federal Reserve Bank of Richmond, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective December 13, 1974.

[SEAL] ROBERT P. BLACK,
President.

[FR Doc. 74-30250 Filed 12-26-74; 8:45 am]

DURANT BANCORPORATION, INC.

Formation of Bank Holding Company

Durant Bancorporation, Inc., Durant, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 81.07 percent or more of the voting shares of The Durant Bank & Trust Company, Durant, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than January 15, 1975.

Board of Governors of the Federal Reserve System, December 18, 1974.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc. 74-30245 Filed 12-26-74; 8:45 am]

GEORGE MADISON CORP.

Formation of Bank Holding Company

The George Madison Corp., Pawnee, Oklahoma, has applied for the Board's

approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of all of the voting shares (less directors' qualifying shares) of The First National Bank of Pawnee, Pawnee, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than January 13, 1975.

Board of Governors of the Federal Reserve System, December 18, 1974.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary
of the Board.

[FR Doc. 74-30249 Filed 12-26-74; 8:45 am]

MERCHANTS NATIONAL CORP.

Order Approving Acquisition of Pacific American Leasing Corp.

Merchants National Corp., Indianapolis, Indiana, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Pacific American Leasing Corp., Phoenix, Arizona ("Company"), a company that engages in the activity of full pay-out leasing. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(6)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 37433 (1974)). The time for filing comments and views has expired, and none has been timely received.

Applicant controls one bank, Merchants National Bank & Trust Company of Indianapolis, Indianapolis, Indiana ("Bank"), with deposits of about \$643 million, representing approximately 4 percent of the total amount of deposits in commercial banks in the State.¹ In addition to its banking subsidiary, Applicant has two wholly-owned nonbanking subsidiaries: Circle Leasing Corp., Indianapolis, Indiana ("Circle"), which engages in full pay-out leasing; and Merchants Investment Counseling, Inc., Indianapolis, Indiana, which engages in investment adviser activities from its sole office in Indianapolis. Circle has existing and proposed offices located in Indiana, Kentucky, Michigan, and Ohio. Upon consummation of the subject proposal, Company would become a wholly-owned subsidiary of Circle.

Company, with its home office located in Phoenix, Arizona and with branch offices in Burbank and Menlo Park, California, is engaged in leasing personal property on a full pay-out basis and acts as a broker in certain leasing transac-

¹ All banking data are as of June 30, 1974.

¹ All data, unless otherwise noted, as of June 30, 1974.

² Market share as of June 30, 1973.

tions, serving industrial, commercial and medical equipment leasing customers in its Arizona and California markets. Company's lease receivables on March 31, 1974, were \$5.88 million. Approximately 45.2 percent of its gross receipts was accounted for by the Phoenix office, and 40.8 and 14 percent respectively from the Burbank and Menlo Park offices. Due to the wide geographic separation of Company and Circle, consummation of the subject proposal would not eliminate existing competition. Because of the distance involved, and the number and size of the firms engaging in full pay-out leasing in Arizona and California, it does not appear probable that Circle would enter *de novo* into the markets served by Company. Due to Company's small size, the presence of numerous competitors in the market, and the lack of competition between Company and Circle, no adverse competitive effects would result from this acquisition.

Over the past few years, Company has had a significant increase in its gross receivables. In the same period, earnings have also increased. The principal source of Applicant's income is derived from the operations of Bank. Operating statements indicate that based on net income, Bank's earnings are good and future prospects appear favorable. Circle's earnings are sufficient to serve its debt and provide for capital augmentation. Consummation of the subject proposal would result in added financial strength for Applicant, and in the Board's judgment, this proposal would not detract from Applicant's overall financial condition and reduce Applicant's ability to provide additional financial support to its subsidiary bank.

There is no evidence that consummation of the proposed transaction would result in undue concentration of resources, conflicts of interests, unsound banking practices, or decreased or unfair competition. Applicant intends to provide operating funds to Company through Circle, thereby removing Company's reliance on increasingly expensive bank lines of credit and assignment of lease receivables, and decreasing the costs of financing Company's activities. Some public benefit may be expected as these costs savings are passed on to Company's customers.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with section 4(c) (8) of the Act, that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to authority delegated hereby.

By order of the Board of Governors,
effective December 19, 1974.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 74-30248 Filed 12-26-74; 8:45 am]

MORAMERICA FINANCIAL CORP.

Proposed Acquisition and Retention Through Merger With Bezanson Investments, Inc.

MorAmerica Financial Corp., Cedar Rapids, Iowa, has applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to acquire and retain certain insurance agency activities pursuant to its merger with Bezanson Investments, Inc., Cedar Rapids, Iowa. That merger has already been approved by the Board of Governors by order dated October 1, 1974 (39 FR 36391). Notice of the application was published on November 16, 1974 in The Cedar Rapids Gazette, a newspaper circulated in Cedar Rapids, Iowa.

Applicant states that the proposed subsidiary would engage in the activities of an agent for the sale of insurance for the Applicant and its subsidiaries, as well as for the sale of credit life, credit accident and credit health insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System,

* Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallach, and Coldwell.

Washington, D.C. 20551, not later than January 17, 1975.

Board of Governors of the Federal Reserve System, December 17, 1974.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary
of the Board.

[FR Doc. 74-30246 Filed 12-26-74; 8:45 am]

GENERAL SERVICES ADMINISTRATION

[F.P.M.R. Temp. Reg. E-32; Supp 1]

ADP SCHEDULE CONTRACTS

Use for Acquisition of ADPE; Extension of Expiration Date

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation E-32.

2. *Effective date.* This regulation is effective December 27, 1974.

3. *Expiration date.* This regulation expires June 30, 1975, unless sooner superseded or revised.

4. *Revised date.* The expiration date shown in paragraph 3 of FPMR Temp. Reg. E-32 is extended to June 30, 1975, since its provisions address the use of fiscal year 1975 ADP Schedule contracts.

ARTHUR F. SAMPSON,
Administrator of General Services.

DECEMBER 19, 1974.

[FR Doc. 74-30197 Filed 12-26-74; 8:45 am]

[FPMR Temp. Reg. B-1]

ANNUAL REPORT ON FEDERAL ADVISORY COMMITTEES

Reporting Instructions

1. *Purpose.* This regulation sets forth the reporting instructions to be followed by agencies in the preparation and submission of the Annual Report on Federal Advisory Committees.

2. *Effective date.* This regulation is effective December 27, 1974.

3. *Expiration date.* This temporary regulation expires on March 31, 1975, unless sooner revised or superseded.

4. *Background.* The Federal Advisory Committee Act requires an annual report to the Congress on Federal advisory committees in existence during the preceding calendar year. The 1972 and 1973 reports were prepared according to instructions issued by the Office of Management and Budget (OMB). Executive Order 11769 of February 21, 1974, directed the Administrator of General Services to prepare this report for the consideration of the President.

5. *Authority.* The provisions of this regulation are issued pursuant to the Federal Advisory Committee Act (Public Law 92-463), 5 U.S.C. App. I, and Executive Order 11769 of February 21, 1974.

6. *Definitions.* The following definitions shall apply for the purposes of this report.

a. *Advisory committee.* The term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group,

or any subcommittee or other subgroup thereof, which is:

(1) Established by statute or reorganization plan;

(2) Established or utilized by the President; or

(3) Established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government; except that the term excludes (a) the Advisory Commission on Intergovernmental Relations; (b) the Commission on Government Procurement; and (c) any committee which is composed wholly of full-time officers or employees of the Federal Government.

b. *Agency.* The term "agency" has the same meaning as it does in 5 U.S.C. 551(1). That is, "agency" means each authority of the United States, whether or not it is within or subject to review by another agency, but does not include:

- (1) The Congress;
- (2) The courts of the United States;
- (3) The governments of the territories or possessions of the United States;
- (4) The government of the District of Columbia; and
- (5) Other miscellaneous exclusions.

7. *Reports.* The reports prescribed by this regulation have been cleared in accordance with FPMR 101-11.11 and assigned interagency report control number 1121-GSA-AN. Agencies shall use the documents and procedures prescribed below when preparing and submitting the Annual Report on Federal Advisory Committees.

a. *Content of report.* The Annual Report on Federal Advisory Committees shall consist of the original and four copies of each of the following:

- (1) SF 248-Test, Annual Report of Federal Advisory Committee;
- (2) SF 249-Test, Membership List of Federal Advisory Committee;
- (3) SF 250-Test, Annual Report of Federal Advisory Committees Summary Sheet; and

(4) A letter of transmittal for the report that includes the following information:

(a) A list of any statutory advisory committees (committees shown in block 5a, SF 248-Test) that the department or agency recommends be abolished and the reasons therefor;

(b) A summary estimate of the total cost to fund, supply, and maintain the agency's advisory committees in the calendar year following that covered by this report;

(c) A recapitulation of the exemptions in the Freedom of Information Act used as a basis for closing meetings;

(d) Comments in some detail on agency efforts and procedures to ensure balanced membership on its advisory committees; and

(e) Name, address, and telephone number of the agency Committee Management Officer and staff contact person.

b. *Preparation of the report.* It is suggested that SF 248-Test, Annual Report of Federal Advisory Committee, and SF 249-Test, Membership List of Federal

Advisory Committee, be completed by the organizational element responsible for support of the individual committee. It is intended that SF 250-Test, Annual Report of Federal Advisory Committees Summary Sheet, and the letter of transmittal be completed at the department or agency level. Information for completion of SF 250-Test is compiled directly from data on appropriate Standard Forms 248.

c. *Due date.* This report is due on or before February 1, 1975. Submit the report to the Office of Records Management, National Archives and Records Service (mailing address: General Services Administration (NR), Washington, D.C. 20408).

8. *Availability of forms.* Standard Form 248-Test, Annual Report of Federal Advisory Committee; Standard Form 249-Test, Membership List of Federal Advisory Committee; and Standard Form 250-Test, Annual Report of Federal Advisory Committees Summary Sheet, and their instructions are illustrated in attachments A, B, and C. These forms should be requisitioned from the nearest GSA supply distribution facility.

9. *Inquiries.* Inquiries concerning these regulations, forms, or reporting procedures should be directed to the Office of Records Management, National Archives and Records Service (mailing address: General Services Administration (NR), Washington, D.C. 20408).

NOTE.—The forms listed in paragraph 8 are filed as part of the original document and do not appear in the FEDERAL REGISTER.

DWIGHT A. INK,
Acting Administrator
of General Services.

DECEMBER 13, 1974.

[FR Doc.74-30199 Filed 12-26-74; 8:45 am]

[FPMR Temp. Reg. F-316]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interest of the executive agencies of the Federal Government in a proceeding involving the investigation of electric rate structures.

2. *Effective date.* This regulation is effective immediately.

3. Delegation.

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the California Public Utilities Commission in a proceeding involving the investigation of electric rate structures (Case No. 9804).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures,

and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,
Administrator of General Services.

DECEMBER 19, 1974.

[FR Doc.74-30198 Filed 12-26-74; 8:45 am]

ADVISORY COMMITTEE FOR PROTECTION OF ARCHIVES AND RECORDS CENTERS

Meetings

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that meetings of the Advisory Committee for Protection of Archives and Records Centers will be held at 9 a.m. on January 16 and at 9 a.m. on January 17, 1975, in the Departmental Auditorium, Conference Room B, 14th and Constitution Avenue NW., Washington, D.C.

The meeting on January 16 will be devoted to a report on the fire at the Military Personnel Records Center (MPRC) in Overland, Missouri, on July 12, 1973, and a review of current record storage requirements as developed by the National Archives and Records Service and the Public Buildings Service of the General Services Administration; the National Fire Protection Association; and other appropriate organizations.

The meeting on January 17 will be to hear reports on record storage test fires conducted by Factory Mutual Engineering Association, for the GSA Public Buildings Service, and to receive testimony from interested parties concerning the protection of archives and records from fire.

Individuals wishing to offer testimony are requested to submit, in advance, to the Advisory Committee Secretary, a one page outline of their testimony, and to limit their oral remarks to fifteen minutes. Written statements of any length will be accepted.

Further information with reference to these meetings can be obtained from Mr. D. Peter Lund, Advisory Committee Secretary, c/o Society of Fire Protection Engineers, 60 Batterymarch St., Boston, MA 02110, or call (617) 482-0686.

Dated: December 19, 1974.

W. A. MEISEN,
Acting Commissioner,
Public Buildings Service.

[FR Doc.74-30200 Filed 12-26-74; 8:45 am]

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

RESCHEDULED MEETING

DECEMBER 20, 1974.

Some details of the January meeting of the National Advisory Committee on Oceans and Atmosphere (NACOA) announced in the December 18, 1974 FEDERAL REGISTER have been changed. The agenda announced for January 20 will be rescheduled for a later date and the January 21 session has been moved up

to take its place. Accordingly, the meeting will consist of a one day informal working session on Monday, January 20, 1975 to consider NACOA work in progress on issues related to the coastal zone impact of Outer Continental Shelf development, the International Decade of Ocean Exploration (IDOE) and plans for NACOA's fourth Annual Report. This session will be held in Room 6802 of the U.S. Department of Commerce Building, 15th and Constitution Avenue, NW, Washington, D.C. beginning at 9 a.m. and ending about 4 p.m. This working session will be open to the public.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Room 5225, Department of Commerce Building, Washington, D.C. 20230. Telephone: (202) 967-3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc.74-30144 Filed 12-26-74; 8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

ARTISTS-IN-SCHOOLS ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Artists-in-Schools Advisory Panel to the National Endowment for the Arts will be held on January 22, 1975 from 9:30 a.m.-5:30 p.m. and on January 23, 1975 from 9:30 a.m.-5:30 p.m. in the 11th floor conference room, 2401 E Street, NW, Washington, D.C.

The purpose of this meeting is for a policy discussion. The meeting will be open to the public on a space available basis. Accommodations are limited. Further information can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6110.

EDWARD M. WOLFE,
Administrative Officer, National
Foundation on the Arts and the
Humanities.

[FR Doc.74-29902 Filed 12-26-74; 8:45 am]

National Endowment for the Humanities

EDUCATION PANEL

Renewal

DECEMBER 23, 1974.

In accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463); section 10(a)(4) of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 959(a)(4)); and paragraph 9 of OMB Circular A-63, notice is hereby given that renewal of the Education Panel has been approved by the Chairman of the National Endowment for the

Humanities for a period of two years until January 5, 1977.

The Education Panel advises the National Council on the Humanities concerning the recommendations Council members should make on applications for financial support presented to the Education Division of the Endowment and to advise the Chairman of the National Endowment for the Humanities concerning the action he should take on applications for financial support presented to the Education Division. The Committee will report to the Chairman of the National Endowment for the Humanities and to the National Council on the Humanities.

The charter for the Education Panel will be filed with standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Endowment and with the Library of Congress.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.74-30256 Filed 12-26-74; 8:45 am]

FELLOWSHIPS PANEL

Renewal

DECEMBER 23, 1974.

In accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463); section 10(a)(4) of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 959(a)(4)); and paragraph 9 of OMB Circular A-63, notice is hereby given that renewal of the Fellowships Panel has been approved by the Chairman of the National Endowment for the Humanities for a period of two years until January 5, 1977.

The Fellowships Panel advises the National Council on the Humanities concerning the recommendations Council members should make on applications for financial support presented to the Fellowships Division of the Endowment and to advise the Chairman of the National Endowment for the Humanities concerning the action he should take on applications for financial support presented to the Fellowships Division. The Committee will report to the Chairman of the National Endowment for the Humanities and to the National Council on the Humanities.

The charter for the Fellowships Panel will be filed with standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Endowment and with the Library of Congress.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.74-30259 Filed 12-26-74; 8:45 am]

PLANNING OFFICE PANEL

Renewal

DECEMBER 23, 1974.

In accordance with the provisions of the Federal Advisory Committee Act (P. L. 92-463); section 10(a)(4) of the

National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 959(a)(4)); and paragraph 9 of OMB Circular A-63, notice is hereby given that renewal of the Planning Office Panel has been approved by the Chairman of the National Endowment for the Humanities for a period of two years until January 5, 1977.

The Planning office Panel advises the National Council on the Humanities concerning the recommendations Council members should make on applications for financial support presented to the Office of Planning of the Endowment and to advise the Chairman of the National Endowment for the Humanities concerning the action he should take on applications for financial support presented to the Office of Planning. The Committee will report to the Chairman of the National Endowment for the Humanities and to the National Council on the Humanities.

The charter for the Planning Office Panel will be filed with standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Endowment and with the Library of Congress.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.74-30257 Filed 12-26-74; 8:45 am]

PUBLIC PROGRAMS PANEL

Renewal

DECEMBER 23, 1974.

In accordance with the provisions of the Federal Advisory Committee Act (P. L. 92-463); section 10(a)(4) of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 959(a)(4)); and paragraph 9 of OMB Circular A-63, notice is hereby given that renewal of the Public Programs Panel has been approved by the Chairman of the National Endowment for the Humanities for a period of two years until January 5, 1977.

The Public Programs Panel advises the National Council on the Humanities concerning the recommendations Council members should make on applications for financial support presented to the Public Programs Division of the Endowment and to advise the Chairman of the National Endowment for the Humanities concerning the action he should take on applications for financial support presented to the Public Programs Division. The Committee will report to the Chairman of the National Endowment for the Humanities and to the National Council on the Humanities.

The charter for the Public Programs Panel will be filed with standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Endowment and with the Library of Congress.

JOHN W. JORDAN,
Advisory Committee
Management Officer.

[FR Doc.74-30255 Filed 12-26-74; 8:45 am]

RESEARCH PANEL

Renewal

DECEMBER 23, 1974.

In accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463); section 10(a)(4) of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 959(a)(4)); and paragraph 9 of OMB Circular A-63, notice is hereby given that renewal of the Research Panel has been approved by the Chairman of the National Endowment for the Humanities for a period of two years until January 5, 1977.

The Research Panel advises the National Council on the Humanities concerning the recommendations Council members should make on applications for financial support presented to the Research Division of the Endowment and to advise the Chairman of the National Endowment for the Humanities concerning the action he should take on applications for financial support presented to the Research Division. The Committee will report to the Chairman of the National Endowment for the Humanities and to the National Council on the Humanities.

The charter for the Research Panel will be filed with standing committees of the Senate and the House of Representatives having legislative jurisdiction over the Endowment and with the Library of Congress.

JOHN W. JORDAN,
Advisory Committee
Management Office.

[FR Doc.74-30250 Filed 12-26-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on 12/20/74 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

Questionnaires for the Evaluation of Title IV of the Civil Rights Act of 1964, OE388-1, 2-8, Single-time, Project Directors and Staff Receiving Title IV Awards Community & Veterans Affairs Division, 395-3532.

Office of Education:

Follow Through Comprehensive Health Services Planning Questionnaire, OE 4535, Annually, Lea's, Caywood, D.P., 395-3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

Financial Status and Performance Reports for Environmental Education Projects, OE-387, Semi-Annually, Public and Private Non-Profit Agencies, Lowry, R.L., 395-3772.

NEW FORMS

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration: Motor Carrier Maintenance Survey and Supplemental Accident Data Survey Questionnaires, Single-Time, Drivers and Commercial Motor Carriers Lowry, R. L., 395-3772.

NATIONAL SCIENCE FOUNDATION

National Science Foundation: Questionnaires on Presidential Internships in Science and Engineering: Single-Time, Participants in Presidential Internships Program, Dennis Johnston, 395-3840.

REVISIONS

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service: Annual Report of Research Facility—Laboratory Animal Welfare, ANH 18-23, Annually, Users of Animals for Biomedical Research, Lowry, R. L., 395-3772.

DEPARTMENT OF DEFENSE

Departmental and Other Application Form, ROTC 4 Year Scholarship, DD-1893, On Occasion, High School Students, Lowry, R. L., 395-3772.

Department of the Navy: Progress Reports for Research and Development Equipment (MIL-STD-1602(AS)) (RCS NAVAIR 3900-1), NAVAIR 3900), Monthly, Contractors, Caywood, D. P., 395-3443.

GENERAL SERVICES ADMINISTRATION

General Services Administration: Contractors Report of Orders Received (Card Format), GSA-72, 72-A, Monthly, Private Business Firms, Caywood, D. P., 395-3443.

EXTENSIONS

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

New Communities: Personal financial statement—Sole proprietorship, HUD 6243A, on occasion, Community & Veterans Affairs Division, 395-3532.

New Communities: Request for verification of mortgage or deed of trust, HUD 6239, on occasion, Community & Veterans Affairs Division, 395-3532.

New Communities: Application for section 115 rehabilitation grant report on section 115 rehabilitation grant, HUD 6260, on occasion, Community & Veterans Affairs Division, 395-3532.

Community Planning and Development: Application for loan and grant (Urban renewal program), HUD-812, on occasion, Community & Veterans Affairs Division, 395-3532.

New Communities: Cancellation of approved RAA rehabilitation loan application for residential property and for mixed-use loan, HUD 6230-C, on occasion, Community & Veterans Affairs Division, 395-3532.

DEPARTMENT OF THE INTERIOR

Mining Enforcement and Safety Administration: Coal accident, injury and illness report, 6-347, on occasion, Evinger, S.K., 395-3648.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

National Aeronautics and Space Administration: Report on NASA subcontractors (geographic location—large and small business), NASA 667, on occasion, Evinger, S.K., 395-3648.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.74-30327 Filed 12-26-74;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on 12/21/74 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service:

Evaluation of WIC program by state health agencies, single-time, State health agencies participating in WIC programs, Human Resources Division, 395-3532.

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce:

Appraisal of U.S. industrial outlook, DIB-982, single-time, selected small, medium and large businesses, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration:

Reply post card for public service announcements, FD 2811, on occasion, radio stations, Lowry, R. L., 395-3772.

Office of the Secretary:

Long-range projection for the provision of comprehensive service to handicapped individuals, CS-57-47, single-time, private agencies serving the handi-

capped, Human Resources Division, 395-3532.

Social Security Administration:
Domestic Care Administrator, and resident questionnaires,

SSA 8965,
Single-time,
Facility administrators in seven states,
Sunderhauf, M.B., 395-4911.

1974 Survey of Institutionalized SSI Recipients,

SSA 8966,
Single-time,
Nursing home staff residents and families,
Sunderhauf, M.B., 395-4911.

DEPARTMENT OF THE INTERIOR

Bureau of Outdoor Recreation:
St. Marys River Winter Recreation Survey (interview),
BOR 8-201,
Single-time,
Winter outdoor recreation participants,
Planchon, P., 395-3898.

SMALL BUSINESS ADMINISTRATION

Small Business Administration:
Small business questionnaire,
Single-time,
Small business firms,
Economics and general government division, 395-3451.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service:
Manufacturing grade milk price—Minnesota and Wisconsin monthly,
Manufacturing grade milk buyers,
Lowry, R.L., 395-3772.

Animal and Plant Health Inspection Service:
Application for inspection and dipping—imported livestock,
ANH 17-32,
On occasion,
Importer's agent,
Lowry, R.L., 395-3772.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-30328 Filed 12-26-74;8:45 am]

PRESIDENTIAL CLEMENCY BOARD NOTICE OF MEETINGS

DECEMBER 18, 1974.

Notice is hereby given, pursuant to the provisions of the Federal Advisory Committee Act of 1972, that meetings of the Presidential Clemency Board will be held on January 9, 10, 11, 1975, at 9 a.m., in Room 459, Old Executive Office Building, Washington, D.C.

These meetings will not be open to the public since (1) the Board will discuss matters related solely to its internal personnel and practices under 5 U.S.C. 552-(b) (2) and (2) will examine personnel and similar files, disclosure of which would constitute an unwarranted invasion of privacy under (b) (6) of the same section.

CHARLES E. GOODELL,
Chairman.

[FR Doc.74-30239 Filed 12-29-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 18719; 37-60]

AMERICAN NATURAL GAS CO. AND AMERICAN NATURAL GAS SERVICE CO.

Proposal To Issue Notes to Holding Company and of Settlement of Interest Rate Matter

Notice is hereby given that American Natural Gas Company ("American Natural"), a registered holding company, and American Natural Gas Service Company ("Service Company"), One Woodward Avenue, Detroit, Michigan 48226, its wholly-owned subsidiary service company, have filed a joint declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 13 of the Act and rules 40(b), 42(b) (2), 43(b) (3), and 50(a) (3) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the joint declaration, which is summarized below, for a complete statement of the proposed transactions.

By Order dated January 14, 1965 (Holding Company Act Release No. 15174) Service Company was authorized, effective as of January 1, 1965, to include in its charges to associated companies for services rendered such amount of compensation for the use of capital equity as will, together with interest (at the rate of $\frac{1}{4}$ percent over the current prime rate) paid on its outstanding notes, provide Service Company with an overall return of $6\frac{1}{2}$ percent per annum after taxes on its total capitalization and surplus. The Commission at that time reserved jurisdiction to determine whether the proposed interest rate and compensation for the use of equity capital are consistent with the provisions of rule 91 under the Act.

At September 30, 1974, Service Company's outstanding securities—all owned by American Natural—and its retained earnings, were as follows:

Notes due 1989	\$450,000
Capital stock	250,000
Retained earnings	209,933

Total capitalization and retained earnings	909,933
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It is stated that due to prevailing high interest rates, the return on Service Company's equity under the above formula has fallen to an average of \$859 per month during 1974 (an annual rate of approximately 2 percent on equity of September 30, 1974). It is now proposed, in view of such negligible return on equity, that the formula be changed so as to include in Service Company's charges for services a return on equity (capital stock plus retained earnings) of $6\frac{1}{2}$ percent per annum after taxes. The charge for interest costs on the \$450,000 principal amount of outstanding notes due 1989 will continue at the prime rate plus $\frac{1}{4}$ of 1 percent. Service

Company proposes to enter into a form of service agreement with each of its associate companies reflecting this change.

Pursuant to Commission requirements (see Holding Company Act Release No. 14974, December 5, 1963), Service Company has heretofore duly advised the Commission that it proposes, effective January 1, 1975, to transfer certain activities and functions from associated companies to Service Company, resulting in new and expanded activities for Service Company; and that Service Company would incur costs for additional equipment including equipment transferred from associated companies at depreciated cost. It is stated that Service Company's total 1975 budget for capital expenditures, including the above-mentioned equipment, is estimated at approximately \$1,500,000, as follows:

	Additional and replacement	Transferred	Total
Furniture and equipment	\$431,200	\$191,500	\$622,700
Transportation and work equipment	250,000	185,900	435,900
Medical equipment	35,000		35,000
Audio/visual equipment	75,750	40,200	115,950
Drilling rig additions	237,300		237,300
Laboratory equipment	50,250	388,000	438,250
Total	\$1,085,500	\$750,600	\$1,836,100
Less: Estimated depreciation		336,150	336,150
Net	\$1,085,500	\$414,450	\$1,500,000

To cover these costs, Service Company proposes to issue and sell to American Natural from time to time during 1975, up to \$1,500,000 principal amount of unsecured notes ("Notes"). The aggregate of Service Company's principal amount of notes outstanding and capital stock will at no time exceed an amount approximately equal to the sum of the depreciated cost of its fixed assets, two months operating expenses, and petty cash working funds.

The Notes will be dated the date of issuance, will mature December 31, 1994, will be prepayable at Service Company's option at any time without penalty, and will bear interest at an annual rate of 1 percent plus the prime rate (adjusted monthly for any changes thereof) in effect at First National City Bank, New York. The proposed interest rate is the same as the interest cost to American Natural in respect of its most recent bank borrowings (see Holding Company Act Release No. 18391, April 25, 1974). Service Company's interest costs on the Notes will be included in its service charges to associate companies.

It is stated that no State Commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. No fees, commissions or expenses will be incurred in connection with the proposed transaction.

Notice is further given that any interested person may, not later than January 13, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint-declaration which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint-declaration, as filed or as it may be amended, may be permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-30159 Filed 12-26-74; 8:45 am]

[Rel. No. 18717; FO-5351]

APPALACHIAN POWER CO.

Notice of Proposed Increase in Aggregate Maximum Amount of Short-Term Indebtedness, Addition of Lending Banks, Increase in Bank Debt, and Exception from Competitive Bidding

Notice is hereby given that Appalachian Power Company ("Appalachian"), 40 Franklin Road, Roanoke, Va. 24009, an electric utility subsidiary company of American Electric Power Company, Inc., a registered holding company, has filed with this Commission an eighth post-effective amendment to the application previously filed in this matter, pursuant to Section 6(b) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application as now amended, which is summarized below, for a complete statement of the proposed transaction.

By orders dated June 29, 1973, March 29, 1974, June 11, 1974, July 5, 1974 and August 23, 1974 (Holding Company Act Release Nos. 18015, 18348, 18448, 18480,

and 18543), this Commission, among other things, authorized the issuance and sale of short-term notes and commercial paper by Appalachian. Appalachian has been authorized to incur such short-term indebtedness in an aggregate amount not to exceed \$150,000,000.

It is now proposed that the maximum aggregate amount of such short-term indebtedness be increased to \$175,000,000. It is further proposed that two additional banks be added to the list of 89 banks from which Appalachian was previously authorized to borrow funds and that the total maximum amount of borrowings from banks be increased from \$152,423,000 to \$163,423,000.

Each note payable to a bank to be issued by Appalachian will be dated as of the date of the borrowing which it evidences and will mature not more than 270 days after the date of issuance or renewal thereof. Each note will bear interest no greater than the prime rate of commercial banks at the time of issuance or in effect from time to time and will be prepayable at any time without premium or penalty. It is stated that Appalachian will not pay any fees or charges to any of the banks in connection with the issuance and sale of such notes. Sufficient bank balances to meet operating and financial needs are kept at such banks to satisfy any compensating balance requirements in connection with the borrowings. If the average of such bank balances were maintained solely in order to fulfill the prevailing compensating balance requirements of such banks, generally between 15 and 20 percent, the effective interest cost to Appalachian of the issuance and sale of such notes to banks would be approximately between 12.06 percent and 12.8 percent per annum, assuming a prime rate of 10 1/4 percent.

The commercial paper will be in the form of promissory notes in denominations of not less than \$50,000 nor more than \$5,000,000 and will be of varying maturities, with no maturity more than 270 days after the date of issue; none will be prepayable prior to maturity. The commercial paper notes of Appalachian will be sold directly to not more than two dealers at a discount not in excess of the discount rate per annum prevailing at the time of issuance for commercial paper of comparable quality and maturity. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which Appalachian could borrow from banks. The dealers will reoffer the commercial paper notes to not more than 100 of their customers identified and designated in a list (nonpublic) prepared in advance. It is expected that Appalachian's commercial paper notes will be held by each dealer's customers to maturity, but if the customers wish to resell prior to maturity, the dealer, pursuant to a verbal repurchase agreement, will repurchase the notes and reoffer them to others in its group of 100 customers.

The proceeds from the issuance and sale of the notes will be used by Appalachian to reimburse its treasury for past expenditures made in connection with its construction program and to pay part of the cost of its future construction program. Such construction expenditures for the year 1974 is estimated to total \$105,000,000. The application states that, unless otherwise authorized by the Commission, all of the short-term debt of Appalachian will be retired by June 30, 1975, from internal cash resources, debt or equity financing, or cash capital contributions.

Appalachian requests exception from the competitive bidding requirements of rule 50 for the proposed issuance and sale of its commercial paper pursuant to paragraph (a)(5) thereof on the grounds that it is not practicable to invite competitive bids for commercial paper. Appalachian also requests authority to file certificates under rule 24 with respect to the issuance and sale of commercial paper on a quarterly basis.

The Virginia State Corporation Commission has authorized the transaction proposed by Appalachian. No other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than December 30, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the application which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as now amended or as it may be further amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-30160 Filed 12-26-74; 8:45 am]

[File No. 500-1]

BIO-MEDICAL SCIENCES, INC.**Notice of Suspension of Trading**

DECEMBER 19, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Bio-Medical Sciences, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 20, 1974 through December 29, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-30161 Filed 12-26-74; 8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA**Notice of Suspension of Trading**

DECEMBER 17, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 18, 1974 through December 27, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-30162 Filed 12-26-74; 8:45 am]

[Rel. No. 18716; 70-5595]

GEORGIA POWER CO.**Notice of Proposed Charter Amendment Regarding Unsecured Debt Limitation and Solicitation of Proxies**

Notice is hereby given that Georgia Power Company ("Georgia"), 270 Peachtree Street, N.W., Atlanta, Georgia 30303, an electric utility subsidiary company of The Southern Company ("Southern"), a registered holding company, has filed a declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7 and 12(e) of the Act and rules 62 and 65 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the declaration, as amended, for a more complete statement of the proposed transactions.

Georgia states that the terms of its preferred stock, as set forth in its Charter, provide that, except for limited specified purposes or except with the affirmative vote in favor thereof of the holders of at least a majority of the shares of the preferred stock at the time outstanding, the amount of securities representing unsecured indebtedness having maturities of less than ten years as defined in the Charter ("short-term debt") which Georgia may issue or assume shall not exceed 10 percent of its other capitalization, namely the sum of (a) the total principal amount of all bonds and other securities representing secured indebtedness issued or assumed by Georgia and then to be outstanding and (b) the capital and surplus to Georgia (paid-in, earned and other, if any) as stated on its books of account.

Georgia states that on December 14, 1971, the holders of a majority of the outstanding preferred stock authorized Georgia, until July 1, 1975, to issue or assume unsecured short-term debt as above defined in excess of such 10 percent limitation, provided that (a) none of such additional short-term debt outstanding on July 1, 1975 shall mature on or after January 1, 1976, and (b) the company's total indebtedness represented by unsecured securities shall at no time exceed 20 percent of its other capitalization, as above defined. Such action was authorized by order of the Commission dated November 5, 1971 (HCAR No. 17345).

Georgia now proposes to submit to the holders of its outstanding preferred stock a proposal that Georgia be authorized, for a further period of 5 years, until July 1, 1980, to issue or assume unsecured short-term debt in excess of the 10 percent limitation, provided that (a) none of such additional short-term debt outstanding on July 1, 1980 shall mature on or after January 1, 1981, and (b) the company's total indebtedness represented by unsecured securities shall at no time exceed 20 percent of its other capitalization, as above defined.

Georgia intends to submit the above proposal to the holders of its preferred stock for their approval at a special meeting to be held on March 5, 1975. Georgia additionally proposes to solicit proxies regarding such matter from the holders of its preferred stock. The affirmative vote of at least a majority of the shares of preferred stock at the time outstanding is required by Georgia's Charter to adopt the proposal.

It has been the practice of Georgia to finance current construction expenditures in excess of available internally generated funds from the proceeds of short-term borrowings to be funded through the sale of additional first mortgage bonds and preferred stock and from capital contributions by its parent, Southern. Difficulty in achieving earnings sufficient to meet interest and dividend coverage requirements for the sale of bonds and preferred stock, as well as unstable market conditions, has forced Georgia to postpone part of its 1974 financing program. Georgia is uncertain as to when and in what amounts addi-

tional sales of its first mortgage bonds and preferred stock may be accomplished. Accordingly, it has been and may be required to rely on the continued availability to it of short-term borrowings to meet, in part, construction expenditures and maturing short-term obligations.

Based on the capitalization of Georgia as of September 30, 1974, the 10% Charter limitation on short-term debt is \$266,318,200. Georgia estimates that its financing requirements in 1975 will necessitate the incurrence of short-term unsecured debt substantially in excess of the amount indicated by such 10 percent Charter limitation. While a favorable vote by the preferred stockholders would permit Georgia to incur short-term indebtedness in excess of that limitation, exercise of the privilege by Georgia would require prior approval of the Commission.

Georgia has filed with the Commission (File No. 70-5463) a request to increase the amount of its present short-term borrowing authorization (HCAR No. 18517, July 31, 1974) from \$250,000,000 to a maximum aggregate principal amount of \$450,000,000, at any one time outstanding through March 31, 1975.

By order dated December 5, 1974 (HCAR No. 18692), the Commission granted Georgia authority to make interim borrowings during the period expiring January 15, 1975, in a maximum amount not exceeding \$350,000,000 at any one time outstanding. At that date, unless authorized by the Commission, Georgia's short-term borrowing authority will decrease to \$250,000,000 through March 31, 1975.

Fees and expenses to be paid or incurred in connection with the proposed transactions are estimated at \$63,000, including legal fees of \$10,000. It is stated that no State or Federal commission, other than this Commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 10, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rule 20(a) and 100 thereof or take such other action as it

may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-30163 Filed 12-26-74; 8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.
Notice of Suspension of Trading

DECEMBER 17, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 18, 1974 through December 27, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-30164 Filed 12-26-74; 8:45 am]

[Rel. No. 8618; 811-1606]

TMR APPRECIATION FUND, INC.
Notice of Proposal To Terminate Registration

Notice is hereby given that the Commission proposes, pursuant to section 8 (f) of the Investment Company Act of 1940 ("Act") to declare by order on its own motion that TMR Appreciation Fund, Inc. ("Appreciation Fund"), 245 Park Avenue, New York, New York 10017, registered under the Act as an open-end investment company, has ceased to be an investment company as defined in the Act.

Appreciation Fund registered under the Act on February 20, 1968. It also filed a registration statement on Form S-5 (File No. 2-28266) under the Securities Act of 1933 which became effective on July 17, 1968. As of June 30, 1974, it had net assets of \$7,240,809 and on July 26, 1974, it had outstanding 1,140,217 shares of common stock.

The Commission's records indicate that on September 19, 1974, shareholders of Appreciation Fund approved a plan of reorganization providing for the

merger of Appreciation Fund with Manhattan Fund, Inc. ("Manhattan") under which Manhattan was to be the surviving corporation. The merger was made effective on the same date shareholders approved the Plan of Reorganization. Appropriate dissolution papers were filed with the States having jurisdiction and, thereafter, Appreciation Fund technically ceased to exist.

Section 8(f) of the Act provides, in pertinent part, that when the Commission on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given, that any interested person may, not later than January 13, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon TMR Appreciation Fund, Inc., at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE R. FITZSIMMONS,
Secretary.

[FR Doc.74-30165 Filed 12-26-74; 8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.
Notice of Suspension of Trading

DECEMBER 17, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common

stock (class A and B), the cumulative preferred stock (5 percent and 6 percent, the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 18, 1974 through December 27, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-30166 Filed 12-26-74; 8:45 am]

[File No. 500-1]

ZENITH DEVELOPMENT CORP.
Notice of Suspension of Trading

DECEMBER 17, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Zenith Development Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 18, 1974 through December 27, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-30167 Filed 12-26-74; 8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 09/09-0174]

AMERICAN-EURO INTERFUND CORPORATION

Issuance of a License to Operate as a Small Business Investment Company

On September 26, 1974, a notice was published in the FEDERAL REGISTER (39 FR 34611) stating that an application had been filed with the Small Business Administration pursuant to § 107.102 of the Regulations governing Small Business Investment Companies for a license to operate as a small business investment company by American-Euro Interfund Corp., 44 Montgomery Street, Suite 2870, San Francisco, California 94104.

Interested parties were invited to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), after having considered the application and all other pertinent information and facts with regard thereto, SBA has issued License No. 09/09-0174 to American-Euro Interfund Corporation to operate as a small business investment company.

Dated: December 18, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.74-30218 Filed 12-26-74;8:45 am]

[License No. 08/13-0001]

SMALL BUSINESS IMPROVEMENT COMPANY

Filing of Application for Approval of Conflict of Interest Transaction

Notice is hereby given that Small Business Improvement Co. (Small Business Improvement), 711 Central Avenue, Billings, Montana 59103, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application pursuant to § 107.1004(b) of the regulations governing small business investment companies (13 CFR 107.1004(1974)), for an exemption from the provisions of the conflict of interest regulations.

The exemption, if granted, will permit Small Business Improvement to provide financing in the amount of \$25,000 to Mr. John O. Bonisteel, a former employee of Super Save Markets which are owned by a wholly owned subsidiary of Ryans, Inc., parent company of Small Business Improvement.

Information provided by the Applicant in connection with this application indicates that:

1. Mr. H. E. Bollinger owned Bud's IGA Foodliner (Foodstore), which was financed by Small Business Improvement. Mr. Bollinger died on September 1, 1973. The business passed to his estate, under the management of his widow, Mrs. Thelma E. Bollinger. Mrs. Bollinger now wishes to sell this store.

2. Mr. Bonisteel signed a Buy and Sell Agreement dated September 25, 1974. The Agreement hinges upon Mr. Bonisteel obtaining through the Western Bank of Chinook, Montana, a Small Business Administration (SBA) loan.

3. Subject to SBA approval, Small Business Improvement agreed to make a loan to Mr. Bonisteel and to subordinate it to a bank participation loan, guaranteed by SBA in the amount of \$60,000.

Pursuant to Paragraphs (b) and (c) of the definition of "Associate of a Licensee" in § 107.3 of the regulations, Mr. Bonisteel is considered to be an associate of Small Business Improvement. As such,

the transaction will require an exemption pursuant to § 107.1004(b) of the regulations.

Notice is hereby given that any person may, no later than January 13, 1975, submit written comments on the proposed transaction to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Chinook, Montana.

Dated: December 18, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.74-30217 Filed 12-26-74;8:45 am]

TARIFF COMMISSION

[337-L-80]

CERTAIN ANGOLAN ROBUSTA COFFEE

Notice of Complaint Received

The United States Tariff Commission hereby gives notice of the receipt on November 26, 1974, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by Cofinco Inc., Imperial Commodities Corporation, Mitsui & Co. (U.S.A.), Inc., S.F. Pellas Co., Inc., and Van Ekris & Stoett, Inc., each of New York, N.Y., alleging unfair methods of competition and unfair acts in the importation and sale of Angolan Robusta coffee of the grade "Ambriz 2BB", which unfair acts have the effect or tendency to restrain or monopolize trade and commerce in the United States. Complainants also allege that the effect or tendency of such acts injures a domestic coffee importing industry. The specific unfair acts are alleged to consist of illegal price-fixing arrangements for the sale of such coffee in the United States and boycotts and refusals to deal with United States importers and traders not participating in such price-fixing arrangements. The complaint names A.C. & Leon Israel Coffee Co., E. R. Camilleri & Co., Inc., Gill & Duffus, Inc., and Socomex Coffee, Inc., each of New York, N.Y., as engaging in the unfair acts with Cardoso & CIA, LDA, Jopedros, LDA, Van Caf Ltd., Madeira & Marques, LDA, Cooperativa dos Produtores-Exportadores, E Commerciantes-Exportadores Do Cafe De Luanda, S.C.A.R.L., each of Luanda, Angola, Angola Coffee Company of Rotterdam, The Netherlands, and Pacol Limited, of London, England, among others.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the issues raised in the complaint for the

purpose of determining whether there is good and sufficient reason for a full investigation and if so whether the Commission should recommend to the President the issuance of a temporary exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, NW, Washington, D.C., and at the New York City office of the Tariff Commission located at 6 World Trade Center.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than January 24, 1975. Extensions of time for submitting information will not be granted unless good and sufficient cause is shown therefor. Such information should be sent to the Secretary, United States Tariff Commission, 8th and E Streets, NW, Washington, D.C. 20436. A signed original and nineteen (19) true copies of each document must be filed.

Issued: December 23, 1974.

By order of the Commission:

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-30281 Filed 12-26-74;8:45 am]

DEPARTMENT OF LABOR

Bureau of Labor Statistics

BUSINESS RESEARCH ADVISORY COUNCIL; MANPOWER AND EMPLOYMENT COMMITTEE

Meeting

The BRAC Committee on Manpower and Employment will meet at 9:30 a.m., January 15, 1975, at the General Accounting Office Building, 441 G Street, NW, Room 2106, Washington, D.C. The agenda for the meeting is as follows:

1. Office of Manpower Structure and Trends.

A. Report on the recent benchmark revision of the establishment employment (790) series. This will include comment on the magnitude of the employment revisions, as well as explanation of recently discovered errors in certain hours and earnings series.

B. Discussion with regard to other questions associated with the 790 program.

1. The Bureau's present examination of the net spendable earnings series.

2. Consideration of the desirability and practicability of measuring separately, in the establishment survey, the number and earnings of part-time workers.

3. Recent research and contemplated developments as regards the separate measurement of hours worked and hours paid for, and the possible use of hours worked as the denominator for a measure of hourly earnings.

4. Special plans for reporting designed to measure the impact of changing energy supplies on industry.

C. Discussion of programs dealing with information concerning occupational requirements.

2. Office of Current Employment Analysis. Current Population Survey sample expansion and the status of local area employment and unemployment statistics.

It is suggested that persons planning to attend this meeting as observers contact Kenneth G. Van Auken, Executive Secretary, Business Research Advisory Council on (Area Code 202) 961-2559.

Signed at Washington, D.C., this 18th day of December 1974.

JULIUS SHISKIN,
Commissioner of Labor Statistics.

[FR Doc.74-30068 Filed 12-26-74;8:45 am]

**Occupational Safety and Health
Administration**

HAWAII STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On January 4, 1974, notice was published in the *FEDERAL REGISTER* (39 FR 1010) of the approval of the Hawaii plan and the adoption of Subpart Y of Part 1952 containing the decision.

The Hawaii plan provides for the adoption of State standards which are at least

as effective as comparable Federal standards promulgated under section 6 of the Act. State standards comparable to 29 CFR Part 1910, Subparts E, F, H, I, J, L, M, O and R were submitted with the State plan. However, the following State standards were determined to need additional revision (29 CFR Part 1910, Subparts D, G, K, N, P, Q and S and all of 29 CFR Part 1926). Accordingly Hawaii has revised these standards and promulgated them in accordance with applicable State procedures.

Section 1952.313 of Subpart Y sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated April 3, 1974, from Robert K. Hasegawa, Director of the Department of Labor and Industrial Relations, to Gabriel J. Gillotti, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning 29 CFR Part 1910 Subparts D, G, K, N, P, Q and S and all Subparts of Part 1926, Title 29 Code of Federal Regulations. These standards, which are contained in Hawaii Occupational Safety and Health Standards—Rules and Regulations, were promulgated by the State after public hearings on the following dates: April 18, 22, 23, 24 and 25, 1974.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards. The State standards are more specific in several areas particularly with respect to Subpart I, 29 CFR 1910.135 "Occupational Head Protection" and Subpart K, 29 CFR 1910.151 "Medical and First Aid." The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant

Regional Director, Occupational Safety and Health Administration, 450 Golden Gate Avenue, Room 9470, San Francisco, California 94102; and the offices of the Department of Labor and Industrial Relations, Room 308, 825 Millani Street, Honolulu, Hawaii 96313; and Office of the Associate Assistant Secretary for Regional Programs, Room 850, 1726 M Street NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of 29 CFR Part 1953 the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Hawaii plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be unnecessary.

This decision is effective December 27, 1974.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at San Francisco, California this 3rd of December, 1974.

GABRIEL J. GILLOTTI,
Assistant Regional Director.

[FR Doc.74-30069 Filed 12-26-74;8:45 am]

**INTERSTATE COMMERCE
COMMISSION**

[Notice No. 102]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

DECEMBER 20, 1974.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March

27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application, are governed by Special Rule 1100.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the *FEDERAL REGISTER* issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the *FEDERAL REGISTER*. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the methods—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the *FEDERAL REGISTER* issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broad-

ening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the *FEDERAL REGISTER* of a notice that the proceeding has been assigned for oral hearing.

APPLICATION SET FOR HEARING

No. MC 125433 (Sub-No. 55), filed December 11, 1974. Applicant: F-B TRUCK LINE COMPANY, 1891 West 2100 South, Salt Lake City, Utah 84119. Applicant's representative: David J. Lister (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors, construction and mining machinery, equipment, materials, supplies, and parts* (except commodities in bulk), from Pocatello, Idaho, to points in Oregon, Washington, California, Idaho Nevada, Arizona, Utah, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Wisconsin, Iowa, Illinois, Missouri, Arkansas, and Louisiana.

NOTE.—Common control may be involved.

HEARING: January 16, 1975, for 2 days, at 9:30 Local Time, at Salt Lake City, Utah, in a room to be later designated.

No. MC 531 (Sub-No. 302), filed November 29, 1974. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia, and liquid fertilizer), in bulk, in tank vehicles, from the plant site of Monsanto Company located at or near Muscatine, Iowa, to points in Arizona, California, Idaho, Nevada, Oregon, and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 2229 (Sub-No. 188), filed December 4, 1974. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Blvd., P.O. Box 47407, Dallas, Tex. 75247. Applicant's representative: Douglas Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, *commodities* in bulk, and those requiring special equipment); Serving points in Union County, Ark., as off-route points in connection with carrier's authorized regular-route operation from and to El Dorado, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either El Dorado or Little Rock, Ark.

No. MC 2229 (Sub-No. 189), filed December 4, 1974. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Blvd., P.O. Box 47407, Dallas, Tex. 75247. Applicant's representative: Douglas Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, *commodities* in bulk, and those requiring special equipment); Serving all points in Hot Spring County, Ark., as off-route points in connection with carrier's authorized regular-route operation, from and to Little Rock, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark.

No. MC 20722 (Sub-No. 27), filed Nov. 25, 1974. Applicant: M & G CONVOY, INC., 590 Elk Street, Buffalo, N.Y. 14240. Applicant's representative: Eugene C. Ewald, 100 West Long Lake Road, Suite 102, Bloomfield Hills, Mich. 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, (1) from Chesapeake, Va., in initial and secondary movements; and (2) from Portsmouth, Va., in secondary movements, to points in the United States (including Alaska, but excluding Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 28478 (Sub-No. 43), filed November 21, 1974. Applicant: GREAT LAKES EXPRESS CO., a Corporation, 1150 North Niagara Street, Saginaw, Mich. 48602. Applicant's representative: LaVergne L. Adsit (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, *commodities* in bulk, and those requiring special equipment), serving the village of Addison, Mich., located approximately 15 miles south of Jackson, Mich., on U.S. Highway 127, as an off-route point in connection with applicant's authorized regular route operations to and from Jackson, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit or Lansing, Mich.

No. MC 29120 (Sub-No. 187) (Correction), filed November 6, 1974, published in the *FEDERAL REGISTER* issue of December 5, 1974, and republished as corrected, this issue. Applicant: ALL-AMERICAN, INC., 900 West Delaware, Sioux Falls, S. Dak. 57101. Applicant's representative: R. H. Jinks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Sioux Falls and Spearfish, S. Dak., serving no intermediate points: From Sioux Falls over Interstate Highway 90 to Spearfish, and return over the same route, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations.

NOTE.—The purpose of this republication is to indicate applicant seeks alternate route authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 31389 (Sub-No. 191), filed Nov. 25, 1974. Applicant: MCLEAN TRUCKING COMPANY, a Corporation, 617 Woughtown Street, Winston-Salem, N.C. 27107. Applicant's representative: David F. Eshelman, P.O. Box 213, Winston-Salem, N.C. 27102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving Santa Claus, Ind., as an off-route point in conjunction with applicant's regular routes, to and from Evansville, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 43246 (Sub-No. 20), filed Nov. 27, 1974. Applicant: BUSKE LINES, INC., 123 W. Tyler Avenue, Litchfield, Ill. 62056. Applicant's representative: Harold Buske, 123 W. Tyler Avenue, Litchfield, Ill. 62056. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass containers, from Hillsboro, Ill., to Schaefferstown, Pa., and Scobeyville, N.J., under contract with Hillsboro Glass Co.

NOTE.—Applicant holds common carrier authority in MC 15975 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 44735 (Sub-No. 20), filed December 2, 1974. Applicant: KISSICK TRUCK LINES, INC., 7101 East 12th Street, Kansas City, Mo. 64126. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Mineral mixtures, dry animal and poultry feed and ingredients thereof, and dry fertilizer and ingredients thereof, from the plant-sites of Micro Lite, Inc., at or near Buffalo and Chanute, Kans., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held on consolidated record with the similar applications filed by Dahlsten Truck Line, Inc., and Hofer, Inc.

No. MC 45736 (Sub-No. 46), filed November 21, 1974. Applicant: GUIGNARD FREIGHT LINES, INC., P.O. Box 26067, Highway 21 North, Charlotte, N.C. 28213. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Roofing, roofing materials, siding and siding materials, from Charleston, S.C., to points in Duval County, Fla.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 51146 (Sub-No. 405), filed November 25, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Printed matter, publications, and exempted printed matter, as described in Section 203(B)(7) of the Act, as amended, when transported at the same time and in the same vehicle with printed matter, and materials, supplies, and equipment used in the maintenance and operation of printing plants, between the plant site of the R. R. Donnelly & Sons Company at Dwight, Ill., on the one hand, and, on the other, points in New York, West Virginia, Missouri, Pennsylvania, Wisconsin, Michigan, Ohio, Indiana, and Illinois.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 406), filed November 29, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Arts and crafts, games and toys, from points in Maine, Vermont, New Hampshire, Delaware, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Michigan, Ohio, Indiana, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Missouri, Illinois, Iowa, Minnesota, Kansas, Nebraska, North Dakota, and South Dakota, to points in Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 331), filed November 25, 1974. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Rural Route 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: Roofing materials, shakes, and shingles (except commodities in bulk), from Santa Clara, Pittsburg, and Bakersfield, Calif., to points in Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 61592 (Sub-No. 332), filed November 29, 1974. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Rural Route 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Granite, marble, slate, and stone, including precast stone and equipment, materials, and supplies, used in the quarrying, manufacturing, and installation of granite, marble, slate, and stone, including precast stone (except commodities in bulk), between points in California, on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Texas, and Utah; (2) granite, marble, slate, and stone, including precast stone and equipment, materials, and supplies, used in the quarrying, manufacturing and installation of granite, marble, slate, and stone, including precast stone (except commodities in bulk), between points in Burnet, Gillespie, and Llano Counties, Tex., on the one hand, and, on the other, points in Arizona, California, Colorado, Nevada, New Mexico, and Utah; and (3) granite, marble, slate, and stone, including precast stone and equipment, materials, and supplies, used in the quarrying, manufacturing and installation of granite, marble, slate, and stone (except commodities in bulk), between points in Greer, Johnston, Kiowa, and Tillman Counties, Okla., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, Texas, and Utah.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 64932 (Sub-No. 541), filed November 18, 1974. Applicant: ROGERS CARTAGE CO., a Corporation, 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, from points in St. Charles County, Mo., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 67200 (Sub-No. 43), filed December 4, 1974. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., P.O. Box 392, Furniture Row, Milford, Conn. 06460. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Organs*, from the warehouse, terminal and storage facilities of The Furniture Transport Company, Inc., located in the Commercial Zones of Milford, Conn.; Orlando, Fla.; and Atlanta, Ga., to points in Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, New York, New Jersey, Pennsylvania, Florida, Georgia, and Alabama.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 75320 (Sub-No. 176), filed December 4, 1974. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, Mo. 65801. Applicant's representative: P. E. Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving the plantsite and warehouse facilities of Federal-Mogul Corporation, at or near Jacksonville, Ala., as an off-route point in conjunction with applicant's regular-route operations between Birmingham, Ala., and Atlanta, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 89684 (Sub-No. 87), filed November 29, 1974. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South 300 West, Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, Suite 400, 315 East 2d South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Salt Lake City International Airport at Salt Lake City, Utah and Stapleton International Airport at Denver, Colo., restricted to shipments having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah, or Denver, Colo.

No. MC 95876 (Sub-No. 162), filed November 8, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrants, accessories, and parts*, from St. Paul, Minn., to points in

the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 95876 (Sub-No. 164), filed November 29, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, materials, and supplies* used in the manufacturing and the distribution of cast iron products, between Council Bluffs, Iowa, Lynchburg, Va., and Florence, N.J.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 104004 (Sub-No. 195) (Correction), filed July 10, 1974, and published in the FEDERAL REGISTER issue of September 12, 1974, and republished as corrected this issue. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's Representative: John P. Tynan, 65-12 69th Place, Middle Village, N.Y. 11379. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, liquid commodities in bulk, household goods as defined by the Commission, and those requiring special equipment), between Columbia, S.C., and points in South Carolina within 150 miles of Charlotte, N.C., and Chattanooga, Tenn.: From Columbia over Interstate Highway 26 to junction U.S. Highway 276, thence over U.S. Highway 276 to junction Interstate Highway 85, thence over Interstate Highway 85 to junction Interstate Highway 75, thence over Interstate Highway 75 to Chattanooga, and return over the same route, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 106433 (Sub-No. 6), filed December 2, 1974. Applicant: ANTRIM TRANSPORTATION CO., INC., 7-11 Suffern Place, Suffern, N.Y. 10901. Applicant's representative: John L. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from Radisson, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; and (2) *materials, supplies, and equipment* used in the manufacture, sale, and distribution of malt beverages, in-

cluding empty containers and returned malt beverages, from points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, to Radisson, N.Y.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107403 (Sub-No. 924), filed Nov. 22, 1974. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Harry C. Ames, Jr., 666 11th St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank trailers, from the plantsite of Union Texas Petroleum Division of Allied Chemical Corporation, located at Baltimore, Md., to points in Maryland, Virginia, Delaware, Pennsylvania, and New Jersey, restricted to traffic originating at and destined to, the points named herein.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 975), filed November 29, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lube oil*, in bulk, from Wichita, Kans., to points in Illinois and Indiana; (2) *dry detergents*, in bulk, from the plantsite of Economics Laboratory, Inc., at or near Channahon, Ill., to points in Texas and New Jersey; (3) *liquid fertilizer*, in bulk, from points in Peoria County, and Peoria, Ill., to points in Iowa, Indiana, Missouri, Wisconsin, Ohio, Michigan, and Kentucky; (4) *barytes ore*, in bulk, from Pfizer, Inc., plantsites and facilities in Washington County, Mo., to points in Illinois; and (5) *liquid foundry facing*, in bulk, from Highland, Ind., to points in Alabama, and Missouri (excluding St. Louis, Mo.).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo., or Chicago, Ill.

No. MC 107515 (Sub-No. 966), filed November 21, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Nashville, Tenn., to points in the United States on and east of U.S. Highway 85 (except points in Tennessee).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Memphis, Tenn.

No. MC 107515 (Sub-No. 967), filed November 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Adairville, Ky., to points in the United States (except Alaska and Hawaii), restricted to traffic originating at the above named origin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn. or Atlanta, Ga.

No. MC 108884 (Sub-No. 32), filed December 4, 1974. Applicant: ROGERS TRANSFER, INC., Route 46, P.O. Box 175, Great Meadows, N.J. 07838. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Mount Airy, Md., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana and points in States east thereof. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109533 (Sub-No. 68), filed November 25, 1974. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: C. H. Swanson, P.O. Box 1213, Richmond, Va. 23209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk and commodities requiring special equipment), serving the plantsite of The Firestone Tire and Rubber Company located at or near Nashville, Tenn., as an off-route point in connection with carrier's authorized regular-route operations.

NOTE.—If a hearing is deemed necessary, the applicant does not specify location.

No. MC 109633 (Sub-No. 19), filed November 15, 1974. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, Ill. 60627. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, liquid commodities in bulk, commodities requiring special equipment and household goods as defined by the Commission), between Indianapolis, Ind. and its Commercial Zone, on the one hand, and, on the other, Louisville, Ky.

NOTE.—Applicant states purpose of this application is to eliminate a Clinton County, Ind., gateway. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111611 (Sub-No. 24), filed November 6, 1974. Applicant: NOERR MOTOR FREIGHT, INC., 205 Washington Ave., Lewistown, Pa. 17044. Applicant's representative: John E. Fullerton, 407 N. Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Tractors* (except those with vehicle beds, bed frames, and fifth wheels); (2) *equipment* designed for use in conjunction with said tractors; (3) *agricultural, industrial, and construction machinery and equipment*; (4) *trailers*, designed for transportation of the afore-described commodities; (5) *attachments* for the afore-described commodities; (6) *internal combustion engines*; (7) *accessories, parts and supplies* used in the manufacture, repair and assembly of (1) through (6) above, from Belleville, Pa., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (B) (1) *equipment* designed for use in conjunction with tractors (except those with vehicle beds, bed frames, and fifth wheels); (2) *trailers* designed for transportation of the afore-described commodities; (3) *attachments* for the afore-described commodities; (4) *internal combustion engines*; (5) *accessories, parts and supplies* used in the manufacture, repair and assembly of (1) through (4) above, from points in the destination territory described in (A) above, to Belleville, Pa.

NOTE.—Applicant states that it presently holds the requested authority and that the purpose of this application is to clarify the commodity description as authorized. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 295), filed November 21, 1974. Applicant: MCKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Port St. Joe, Fla., to points in Ohio and South Carolina.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 112822 (Sub-No. 358), filed November 25, 1974. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: William W. Frick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fire logs*, manufactured with vegetable fiber and wax, and compressed with binder content; and (2) *flare up logs*, wood, impregnated with paraffin wax, from points

in Georgia, to points in the United States (except Alaska, Hawaii, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, Rhode Island, Delaware, New Jersey, Maryland, West Virginia, Virginia, North Carolina, South Carolina, and the District of Columbia).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or New Orleans, La.

No. MC 113300 (Sub-No. 6), filed December 2, 1974. Applicant: WILLIAM T. HERRON, Route 3, Marietta, Ohio 45750. Applicant's representative: Paul F. Beery, 9th Floor, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are usually transported in dump trucks, between points in Barbour, Lewis, Marion, Taylor, and Upshur Counties, W. Va., on the one hand, and, on the other, points in Washington County, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 113646 (Sub-No. 12), filed Nov. 25, 1974. Applicant: JEFFERSON TRUCKING COMPANY, a Corporation, P.O. Box 17, National City, Mich. 48748. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper, scrap and waste*, from points in Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, to the plantsite and storage facilities of Gold Bond Building Products, Division of National Gypsum Company, at or near Anniston, in Calhoun County, Ala., under a continuing contract or contracts with National Gypsum Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., Chicago, Ill., or Birmingham, Ala.

No. MC 113855 (Sub-No. 302), filed Nov. 29, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marlon Road SE., Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lifting, towing, hoisting, and material handling trucks*; and (2) *parts and accessories*, for the commodities described in (1) above, (a) between the plant, warehouse, and storage sites of Clark Equipment Co., located at or near Georgetown, Ky., on the one hand, and, on the other, points in Michigan; and (b) from the plant, warehouse, and storage sites of Clark Equipment Co., located at or near Georgetown, Ky., to points in Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113908 (Sub-No. 329), filed Nov. 20, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage bases, beverages, beverage concentrates, fruit emulsions, and fruit juices*, in bulk, from Chicago, Ill., and the Commercial Zone thereof (except points in Indiana), to Lawrence, Kans., and the Commercial Zone thereof.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Chicago, Ill., or Washington, D.C.

No. MC 114389 (Sub-No. 18), filed Nov. 25, 1974. Applicant: GALE B. ALEXANDER, 120 S. Ward Street, Ottumwa, Iowa 52501. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Articulated wheel loaders*, from Deerfield, Ill., and Topeka, Kans., to the plant site of Al-Jon, Incorporated, at or near Ottumwa, Iowa, under contract with Al-Jon, Incorporated.

NOTE.—Applicant holds common carrier authority in MC 136508 Sub 3, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 115311 (Sub-No. 172), filed November 27, 1974. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* used in the manufacture and distribution of cast iron products and finished products thereof, from points in Kentucky, Tennessee, Alabama, Georgia, Louisiana, North Carolina, South Carolina, Mississippi, West Virginia, Virginia, Florida, Texas, and Ohio, to Lynchburg, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Ga., or Chicago, Ill.

No. MC 115496 (Sub-No. 32), filed November 18, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsites of Continental Can Company, Inc., located at or near Bulloch and Jeff Davis Counties, Ga., to points in Alabama, Indiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, and Shelby County, Tenn., Louisiana, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116326 (Sub-No. 6), filed Nov. 25, 1974. Applicant: HENDRIE'S, INC., 131 Elliot Street, Milton, Mass. 02187. Applicant's representative: Kenneth B. Williams, 84 State Street, Boston, Mass. 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Connecticut and Rhode Island, to the plant-site of Hendrie's, Inc., at Milton, Mass., under continuing contract or contracts with The Stop & Shop Companies, Inc., at Boston, Mass.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 116915 (Sub-No. 16), filed December 3, 1974. Applicant: ECK MILLER TRANSPORTATION CORPORATION, P.O. Box 1279, Owensboro, Ky. 42301. Applicant's representative: William P. Sullivan, 1819 H St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor graders, roadmaking, construction and earth moving machinery and equipment, and components and parts*, for such commodities; and (2) *materials, equipment, and supplies*, used in the manufacture of the commodities in (1) above, between Owensboro, Ky., on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Louisville, Ky.

No. MC 117851 (Sub-No. 16), filed November 18, 1974. Applicant: JOHN R. CHEESEMAN, 501 North First Street, Fort Recovery, Ohio 45846. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plumbing supplies and materials*: (a) From Delphi, Ind., to points in Virginia; (b) from Kokomo, Ind., to points in Connecticut, Delaware, District of Columbia, Louisville, Ky., and points in its commercial zone, Maine, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, Virginia, and Vermont; (c) from Frankfort, Ind., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee; (d) from Gadsden and Leighton, Ala., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, New Jersey, New York, North Dakota, Ohio, Maine, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, Vermont, West Virginia, and Wisconsin; (e) from Woodbridge, N.J., and Sheboygan Falls, Wis., to points in Alabama, Arkansas, Cal-

fornia, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Tennessee, Virginia, Vermont, West Virginia, and Wisconsin; (f) from Addison, Ill., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, Vermont, and Wisconsin; (g) from Pomona, Calif.; Elyria and Cleveland, Ohio; and Erie, Philadelphia, and Washington, Pa., to Gadsden, Ala.; Kokomo, Ind.; and Woodbridge, N.J.; (h) from Princeton, Ind. and Fowlerville, Mich., to Gadsden, Ala., and Woodbridge, N.J.; (i) from Bauxite, Ark., to Kokomo, Ind.; (j) from LaPorte, Ind. and Beaufort, S.C., to Woodbridge, N.J.; and (k) from Franklin, Ga.; Cincinnati, Cleveland, Delaware, Elyria, Mansfield, Marysville, and Mingo Junction, Ohio; and Farmington, Grand Rapids, and Port Huron, Mich., to Delphi, Ind.; (2) *feldspar*, from Kona and Spruce Pine, N.C. to Gadsden, Ala.; Kokomo, Ind.; and Woodbridge, N.J.; (3) *clay*, from Edgar, Fla.; McIntyre and Gordon, Ga.; Mayfield, Ky.; and Andrews, Bath, and Calico, S.C., to Gadsden, Ala.; Kokomo, Ind.; and Woodbridge, N.J.; (4) *petroleum, oil, and lubricants*, in barrels and boxes, from Bristol, Pa., to Gadsden, Ala.; Kokomo, Ind.; and Woodbridge, N.J.; (5) *plaster* (except in bulk): (a) from Niagara Falls, N.Y., and Pittsburgh, Pa., to Gadsden, Ala.; Kokomo, Ind.; and Woodbridge, N.J.; and (b) from Southward, Okla., to Gadsden, Ala. and Woodbridge, N.J.; (6) *foundry compounds*, from Cincinnati, Ohio, and Sheboygan, Wis., to Delphi, Ind.; (7) *buffing compounds*, from Howell, Mich., to Delphi, Ind.; and (8) *fire brick*: (a) From New Castle, Pa., to Gadsden, Ala.; and (b) Tyler, Tex., to Kokomo, Ind.; Gadsden, Ala.; and Woodbridge, N.J., under a continuing contract or contracts with Gerber Plumbing Fixtures Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 118178 (Sub-No. 22), filed Nov. 29, 1974. Applicant: BILL MEEKER, 1632 North Mosley, P.O. Box 11184, Wichita, Kans. 67202. Applicant's representative: Bill Meeker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and

commodities in bulk), from Wichita, Kans., to points in Nebraska, Iowa, Illinois, Indiana, Ohio, Kentucky, Tennessee, Arkansas, Oklahoma, Texas, Louisiana, Colorado, New Mexico, Arizona, California, Pennsylvania, Michigan, Virginia, Wisconsin, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Missouri, restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—Applicant holds contract carrier authority in MC 11064, therefore dual operations may be involved.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 118610 (Sub-No. 25), filed November 25, 1974. Applicant: L & B EXPRESS, INC., P.O. Box 137, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, P.O. Box 773, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Lifting, towing, hoisting, and material handling trucks*; and (2) *parts and accessories*, for (1) above, between the plant, warehouse and storage site of Clark Equipment Company, at or near Georgetown, Ky., on the one hand, and, on the other, points in Kentucky, Tennessee, Indiana, Illinois, Alabama, Mississippi, Georgia, Pennsylvania, West Virginia, and Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Frankfort, or Louisville, Ky., or Cincinnati, Ohio.

No. MC 118959 (Sub-No. 122), filed Nov. 25, 1974. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. 63701. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cellulose materials, and products, and paper and paper products, and materials, equipment and supplies*, used in their production and distribution, between the plantsite of Charmin Paper Products Company, near Neelys Landing, and St. Louis, Mo., restricted to traffic having an immediately prior or subsequent movement by rail or water.

NOTE.—Applicant holds contract carrier authority in MC 125664, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119099 (Sub-No. 17), filed November 25, 1974. Applicant: BJORKLUND TRUCKING, INC., First Avenue N.E. & 8th Street, Buffalo, Minn. 55313. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Equipment, materials, and supplies* used in the manufacture of burial vaults and burial vault liners (except commodities in bulk and those requiring

special equipment or special handling) between the plantsites and warehouse facilities of Wilbert, Inc., located at Little Hocking, Ohio, St. Paul, Minn., Broadview, Ill., and Springfield, Mo., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to shipments originating at or terminating at said named plantsites.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 119619 (Sub-No. 77), filed Nov. 22, 1974. Applicant: DISTRIBUTORS SERVICE CO., a Corporation, 2000 West 43rd Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and storage facilities of Circle "C" Beef Co., at or near Denver, Colo., to points in the United States (except Alaska and Hawaii); and (2) *meats, fresh and frozen, and materials and supplies*, used in the manufacturing, preparation, processing, selling, and distribution of the commodities shown in (1) above, from points in the United States (except Alaska and Hawaii), to the plantsites and storage facilities of Circle "C" Beef Co., at or near Denver, Colo. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 119726 (Sub-No. 46), filed November 26, 1974. Applicant: N.A.B. TRUCKING CO., INC., 3220 Bluff Road, Indianapolis, Ind. 46217. Applicant's representative: James L. Beatty, 130 E. Washington Street, Suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ground clay*, known as Fullers Earth (except in bulk), from the plantsite and warehouse facilities of Oil-Dri Corporation of America, at or near Ripley, Miss., to points in Minnesota, Wisconsin, Michigan, Iowa, Nebraska, Illinois, Indiana, Ohio, Pennsylvania, Kansas, Missouri, Kentucky, West Virginia, Virginia, Oklahoma, Texas, Arkansas, Tennessee, and Alabama.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119726 (Sub-No. 47), filed Nov. 29, 1974. Applicant: N.A.B. TRUCKING CO., INC., 3220 Bluff Road, Indianapolis, Ind. 46217. Applicant's representative: James L. Beatty, 130 E. Washington Street, Suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ground clay*, Fullers Earth (except in

bulk), from the plantsite and warehouse facilities of Oil-Dri Corporation of America, at or near Ochlocknee, Ga., to points in Florida, Texas, Louisiana, Mississippi, Alabama, South Carolina, North Carolina, Tennessee, Arkansas, Oklahoma, Kansas, Missouri, Kentucky, West Virginia, Nebraska, Iowa, Illinois, Indiana, Ohio, Pennsylvania, Minnesota, Wisconsin, Virginia, and Michigan.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119777 (Sub-No. 310), filed November 6, 1974. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer "L", Madisonville, Ky. 42431. Applicant's representative: John B. Ratliff (Same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ferro-chrome, ferro-chrome silicon, ferro-silicon, silicon manganese, ferro-manganese, silicon metal, and scrap iron*, from Calvert City, Ky., to Woodstock, Nashville, and Memphis, Tenn., and points in Arizona, California, Colorado, Connecticut, Idaho, Maine, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina (except Owen, Columbia, East Greenville, and Charleston, S.C.), South Dakota, Utah, Vermont, Washington, and Wyoming.

NOTE.—Applicant holds contract carrier authority in MC 126970, and subs 1 and 3 thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 119789 (Sub-No. 228), filed November 7, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in containers, *blood analysis instruments, supplies, and parts*, in mechanically refrigerated equipment, from Houston, Tex., to Chicago, Ill., Philadelphia, Pa., Los Angeles, Calif., and Tampa, Fla.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Houston or Dallas, Tex.

No. MC 119792 (Sub No. 47), filed November 18, 1974. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a Corporation, 3215 South Hamilton Avenue, Chicago, Ill. 60608. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulations under Section 203(b) (6) of the Act when transported in mixed shipments with bananas, from Gulfport, Miss., to points in Iowa, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123048 (Sub-No. 318), filed Nov. 29, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, Racine, Wis. 53406. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, agricultural implements and attachments, and accessories and parts*, from New Orleans, La., New York, N.Y., Newark, N.J., and Milwaukee, Wis., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123872 (Sub-No. 40), filed December 4, 1974. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Drawer 2607, Hickory, N.C. 28601. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from Wichita, Kans., to points in North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hickory or Charlotte, N.C.

No. MC 124078 (Sub-No. 627), filed November 25, 1974. Applicant: SCHWERMANN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nitric acid*; and (2) *fertilizer and fertilizer materials*, (1) from Atlas, Mo., to points in Alabama, Illinois, Indiana, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, and New Mexico; and (2) from Atlas, Mo., to points in Alabama, Colorado, Indiana, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, New Mexico, Tennessee, and Wisconsin.

NOTE.—Common control may be involved. Applicant holds contract carrier authority in MC 113832 Sub 68, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Kansas City, Mo.

No. MC 125952 (Sub-No. 22), filed November 29, 1974. Applicant: INTER-

STATE DISTRIBUTOR Co, a Corporation, 8311 Durango SW., Tacoma, Wash. 98499. Applicant's representative: George R. LaBissoniere, P.O. Box 88968, Tukwila Branch, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when moving in vehicles equipped with mechanical refrigeration (except commodities in bulk), from the plant sites and storage facilities of H. J. Heinz Co. at Tracy and Stockton, Calif., to points in Oregon and Washington, under a continuing contract or contracts with H. J. Heinz Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 126582 (Sub-No. 3), filed November 29, 1974. Applicant: JOHN J. CANOVA, doing business as CANOVA MOVING & STORAGE CO., 1336 Woolner Avenue, Fairfield, Calif. 94533. Applicant's representative: Thomas M. Loughran, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, (1) between points in Alameda, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Plumas, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Stanislaus, Tehama, and Tuolumne Counties, Calif.; and (2) between points in the above Counties, on the one hand, and, on the other, points in Sonoma, Napa, Solano, Contra Costa, Yolo, Sacramento, Sutter, Butte, Yuba, Nevada, and Placer Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 126715 (Sub-No. 8), filed November 18, 1974. Applicant: TRANSPORT SERVICE, 8101 N.E. 11th Street, Portland, Ore. 97211. Applicant's representative: Jerry R. Woods, 620 Blue Cross Building, 100 S.W. Market Street, Portland, Ore. 97211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Whitman County, Wash., on the one hand, and, on the other, points in Washington.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at Whitman County, Wash., to provide service between points in Washington, on the one hand, and, on the other, points in Oregon, Idaho, and Montana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oregon, or Olympia, Wash.

No. MC 127476 (Sub-No. 5) filed December 2, 1974. Applicant: J. D. McCILLYMONDS, INC., Portersville, Pa. 16051. Applicant's representative: Warren R. Keck III, 28 South Second Street, Greenville, Pa. 16125. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap grinding wheels*, in dump trucks, between the plant site of Bendix Corp., Westfield, Mass., on the one hand, and, on the other, the plant site of Detroit Abrasives at Chelsea, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Pittsburgh, Pa., or Washington, D.C.

No. MC 128007 (Sub-No. 72), filed November 25, 1974. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, Kans. 66762. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Yeast*, from Denver, Colo., to points in Kansas, Oklahoma, Missouri, Arkansas, and Nebraska; and (2) *feed ingredients*, from points in Harrison County, Tex., to points in Colorado, New Mexico, Oklahoma, Nebraska, Kansas, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Illinois, Indiana, Kentucky, Tennessee, and Alabama.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128078 (Sub-No. 3), filed November 20, 1974. Applicant: MICHAEL VALIHORA, 3050 W. Fort Street, Detroit, Mich. 48216. Applicant's representative: James Tryand, 111 S. Main Street, Ann Arbor, Mich. 48108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points on the International Boundary line between the United States and Canada in Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine, on the one hand, and, on the other, points in Connecticut, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan (Lower Peninsula), Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Vermont, Virginia, West Virginia, Wisconsin; and (2) between points on the International Boundary line between the United States and Canada in Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, Florida, Georgia, Kansas, Louisiana, Michigan (Upper Peninsula), Mississippi, Nebraska, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, and the District of Columbia.

NOTE.—Applicant states that the purpose of this application in (1) above is to extend its existing operations through all ports of entry on the International Boundary line. Applicant holds contract authority in MC

125378 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Detroit, Mich., Chicago, Ill., or Washington, D.C.

No. MC 128490 (Sub-No. 10), filed November 29, 1974. Applicant: ROBERT J. ERICKSON, doing business as BOB ERICKSON TRUCKING, Rush City, Minn. 55069. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fire protection sprinkler systems and materials and equipment and supplies* used in the installation thereof, (1) between Rush City, Minn., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Montana, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia; and (2) between Rush City, Minn., on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Michigan, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, under contract with United Sprinkler Division of Waycross, Inc.

NOTE.—Applicant holds common carrier authority in MC 138475, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128638 (Sub-No. 7) (Correction), filed November 8, 1974, published in the FEDERAL REGISTER, issue of December 12, 1974, as No. MC 128638 (Sub-No. 8), and republished as corrected this issue. Applicant: CENTRAL GRAIN HAULERS, INC., Route #1, Van Meter Road, Winchester, Ky. 40391. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clay, Leslie, Harlan, Laurel, Breathitt, Knott, and Perry Counties, Ky., to points in Kentucky, Ohio, Indiana, West Virginia, and Tennessee.

NOTE.—The purpose of this republication is to indicate the correct docket number assigned to this proceeding. If a hearing is deemed necessary, the applicant requests it be held at either Lexington or Louisville, Ky.

No. MC 128645 (Sub-No. 10) (Correction), filed November 4, 1974, published in the FEDERAL REGISTER issue of December 12, 1974, as No. MC 128638 (Sub-No. 7) and republished as corrected this issue. Applicant: RAY L. KRALL, P.O. Box 335, Carson, Wash. 98610. Applicant's representative: David C. White, 2400 S.W. Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from Astoria, Ore., to Portland, Ore., and Vancouver, Washougal, Centralia, and Tacoma, Wash., under a continuing contract or contracts with Astoria Plywood Corp.

NOTE.—The purpose of this republication is to indicate the correct docket number assigned to this proceeding. If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 128857 (Sub-No. 8), filed November 29, 1974. Applicant: G. L. GIBBONS, doing business as GIBBONS TRUCKING SERVICE, P.O. Box 5861, Tucson, Ariz. 85703. Applicant's representative: A. Michael Bernstein, 1327 United Bank Bldg., Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, (1) from points in Arizona, to points in Nevada, Utah, and those points in California south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, Calif.; and (2) from points in Nevada, to points in Utah, and those points in California south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, Calif.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Phoenix or Tucson, Ariz.

No. MC 128951 (Sub-No. 13), filed November 25, 1974. Applicant: ROBERT H. DITTRICH, doing business as BOB DITTRICH TRUCKING, P.O. Box 432, New Ulm, Minn. 56073. Applicant's representative: Charles E. Nieman, 1110 Northwestern Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and fertilizer ingredients*, between points on the International Boundary line between the United States and Canada in Montana, North Dakota, and Minnesota, on the one hand, and, on the other, points in Minnesota, Iowa, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 129625 (Sub-No. 6), filed October 21, 1974. Applicant: ROBERT COLE TRUCKING COMPANY, a Corporation, P.O. Box M, Falls Creek, Pa. 15840. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, (1) From points in Armstrong, Cameron, and McKean Counties, Pa., to points in New York, Massachusetts, and Connecticut; (2) from points in Jefferson, Cambria, Clarion, and Indiana Counties, Pa., to points in that part of New York east of Interstate Highway 81 and points in Massachusetts, Connecticut, and Delaware; (3) from points in Elk County, Pa., to points in that part of New York east of U.S. Highway 15 and points in Chautauque County, N.Y., and points in Massachusetts, Connecticut, and Delaware; (4) from points in Clearfield County, Pa., to points in New York, Massachusetts, Connecticut, and Delaware; and (5) from points in Jefferson, Cambria, Clarion, Indiana, Elk, and Clearfield Counties,

Pa., to the facilities of Diamond Alkali Company at Painesville, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

No. MC 133095 (Sub-No. 70), filed November 25, 1974. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma, blood typing serums, and bovine serum*, from Arlington, Tex., to points in Raritan, N.J.

NOTE.—Applicant holds contract carrier authority in MC 136032, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 133106 (Sub-No. 48), filed November 25, 1974. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is manufactured and distributed by Warner-Lambert Company and related advertising material*, from the plantsites and storage facilities utilized by Warner-Lambert Company, located at or near South Brunswick, N.J., and Philadelphia, Pa., to points in Milwaukie, Ore., Anaheim, Calif., Grand Prairie, Tex., Rockford and Elk Grove Village, Ill., under a continuing contract with Warner-Lambert Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Kansas City, Mo.

No. MC 133119 (Sub-No. 60), filed November 29, 1974. Applicant: HEYL TRUCK LINES, INC., 235 Mill Street, Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 So. 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass beads, glass spheres, and glass cullet*, from ports of entry on the International Boundary line between the United States and Canada, located in Montana, North Dakota, and Minnesota, to points in Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minot, N. Dak., or Omaha, Nebr.

No. MC 133490 (Sub-No. 9), filed November 27, 1974. Applicant: LEE'S TRUCKING, INC., Route 1, Box 223A, Wyoming, Minn. 55092. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a

contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Glassware*, from Burlington, Wis., Dunkirk, Ind., Huntington, W. Va., Mount Vernon and Zanesville, Ohio, Mundelein, Plainfield, and Streator Ill., Washington, Pa., and Brockport, N.Y., to Minneapolis, Minn.; (2) *plastic containers*, from Elyria, Ohio, Indianapolis, La Porte, and Ligonier, Ind., Kansas City, Mo., and its Commercial Zone, New York, N.Y., and its Commercial Zone Paterson, N.J., and Streamwood, Ill., to Minneapolis, Minn.; (3) *ceramic tile*, from New York, N.Y., and its Commercial Zone, and Hoboken and Paterson, N.J., to Minneapolis, Minn.; (4) *pottery*, from Scio, Ohio, to Minneapolis, Minn.; and (5) *metal containers*, from Chicago, Ill., and its Commercial Zone, and Joliet, Ill., to Minneapolis, Minn., under a continuing contract or contracts with Twin City Bottling Company.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 133870 (Sub-No. 2), filed November 29, 1974. Applicant: JOHN P. WEYER AND CAROLINE M. WEYER, a Partnership, doing business as WEYER TRUCK SERVICE, Route 1, Box 86B, Brownsville, Wis. 53006. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime and lime products*, from points in Dodge, Fond du Lac, and Brown Counties, Wis., to points in that part of Illinois, on and north of Illinois Highway 9, and those in Indiana, on and north of U.S. Highway 24, and those points on and west of Indiana Highway 19 and points in Michigan and Minnesota, under a continuing contract or contracts with Western Lime & Cement Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Milwaukee or Madison, Wis.

No. MC 134387 (Sub-No. 23), filed November 18, 1974. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, Calif. 90280. Applicant's representative: David P. Christianson, 606 South Olive Street, Suite 825, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty cans and can ends*, from points in Orange County, Calif., to points in Coconino County, Ariz.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 134755 (Sub-No. 48), filed November 29, 1974. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner Street, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Foodstuffs (except in bulk), in vehicles equipped with mechanical refrigeration, from Lebanon and Springfield, Mo., to points in New York.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary the applicant requests it be held at Kansas City, Mo.

No. MC 135639 (Sub-No. 4), filed November 18, 1974. Applicant: QUEENSWAY, INC., 105 North Keyser Avenue, Old Forge, Pa. 18518. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Rochester, N.Y., and New York, N.Y.: From Rochester over New York Highway 96 to junction New York Highway 14, thence over New York Highway 14 to Elmira, N.Y., thence over New York Highway 17 to Binghamton, N.Y., thence over U.S. Highway 11 to Scranton, Pa., thence over U.S. Highway 611 (formerly portion Alternate U.S. Highway 611), to Portland, Pa., thence over U.S. Highway 46 to junction New Jersey Highway 31 (formerly New Jersey Highway 69), thence over New Jersey Highway 31 to junction U.S. Highway 22, thence over U.S. Highway 22 to Newark, N.J., thence over city streets to Jersey City, N.J., thence across the Hudson River (also via Holland Vehicular Tunnel) to New York, N.Y., and return over the same route, serving all intermediate points and serving Geneva, N.Y., and points in the New York, N.Y., Commercial Zone as defined by the Commission as off-route points, with operations authorized at Scranton and Wilkes-Barre, Pa., and Elmira and Syracuse, N.Y., restricted to the transportation of fresh fruits and vegetables.

NOTE.—Applicant contends that the authority sought herein is identical to the authority it holds in MC 135639 and by this application seeks to clarify the aforesaid authority. Should the Commission find for the existing authority, applicant has concurrently filed a Motion to Dismiss the above application. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa.

No. MC 135797 (Sub-No. 31), filed Nov. 29, 1974. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert, 108 Terrace Drive, Lowell, Ark. 72745. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydro-pneumatic tanks, gas boiler heaters, and poultry brooders*, from Rogers, Ark., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Little Rock, Ark.

No. MC 135913 (Sub-No. 7), filed November 29, 1974. Applicant: BREEN TRUCKING, INC., 8459 Church Road, Grosse Ile, Mich. 48138. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal castings*, from Waupaca, Wis., to Detroit, Mich., under a continuing contract with Lillibridge Manufacturing, Inc.; (2) *machined metal castings*, from Detroit, Mich., to Salt Lake City, Utah, Boise, Idaho, and Chicago, Ill., under a continuing contract with Lillibridge Manufacturing, Inc.; and (3) *hot tops, foundry facings, insulating material, and aluminum bars*, from Newton Falls, Ohio, to points in Alabama, Illinois, Indiana, Michigan, and Wisconsin, under a continuing contract with C-E Cast Products.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 136115 (Sub-No. 4), filed November 18, 1974. Applicant: HOPKINS TRUCKING SERVICE, INC., Route 2, Box 428-1, Blue Springs, Mo. 64015. Applicant's representative: George A. Tyree, 103 Plaza Center, Blue Springs, Mo. 64015. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in bulk, by dump truck, between points in Missouri, restricted to traffic having an immediate prior or subsequent movement by rail, under a continuing contract or contracts with Carey Salt Division of Interpace Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 136786 (Sub-No. 66), filed November 21, 1974. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Blvd., Minneapolis, Minn. 55416. Applicant's representative: Val M. Higgins, 100 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen poultry stock*, from the plant site of Campbell Soup Company at Sumter, S.C., to the plant sites of Campbell Soup Company at Paris, Tex., and Napoleon, Ohio.

NOTE.—Applicant states it intends to file a petition to dismiss the instant application based on the belief that the commodity requested is exempt. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 138375 (Sub-No. 15), filed November 29, 1974. Applicant: J. H. WARE TRUCKING, INC., 909 Brown Street, P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Pulpboard*, from Stubenville, Ohio, to Bristol, Va., under a continuing contract or contracts with Electrolux, Division of Consolidated Foods.

NOTE.—Applicant holds pending common carrier authority in MC 139973, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 138415 (Sub-No. 10) (Correction), filed August 6, 1974, published in the *FEDERAL REGISTER*, issue of September 6, 1974, and republished as corrected this issue. Applicant: *TRAILER EXPRESS, INC.*, Box 327, Topeka, Ind. 46571. Applicant's representative: Michael M. Yodar, Box 321, Topeka, Ind. 46571. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor homes and van conversion units* in drive-away service, and (2) *motor homes, folding camping trailers, travel trailers, fifth wheel travel trailers, and pick up campers* by truckaway service, from the plant site of Travel Equipment Corporation on U.S. Highway 33, located at or near Goshen, Ind., to points in the United States (except Alaska and Hawaii), under contract or contracts with Travel Equipment Corporation.

NOTE.—The purpose of this republication is to indicate applicant's correct name. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill., or Indianapolis, Ind.

No. MC 139495 (Sub-No. 17), filed November 25, 1974. Applicant: *NATIONAL CARRIERS, INC.*, 1501 E. 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from the plantsite and storage facility of Totino's Finer Foods, Inc., located at or near Fridley, Minn., to points in Georgia, South Carolina, North Carolina, Florida, Tennessee, Mississippi, and Alabama.

NOTE.—Applicant holds contract carrier authority in MC 133106 Sub 2 and other subs, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 18), filed November 25, 1974. Applicant: *NATIONAL CARRIERS, INC.*, 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, from the plantsite and storage facilities of Lehigh Valley Chemical Company located at or near Easton, Pa., to points in Missouri, Kansas, and California.

NOTE.—Applicant holds contract carrier authority in MC 133106 Sub 2 and other subs, therefore dual operations may be in-

involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 19), filed December 4, 1974. Applicant: *NATIONAL CARRIERS, INC.*, 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soap*, (a) from West Warwick, R.I., to points in Tennessee, Illinois, Texas, and Nevada; (b) from Memphis, Tenn., to points in Rhode Island, Illinois, Texas, and Nevada; and (2) *plastic articles*, from Leominster, Mass., to points in Tennessee.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 20), filed December 4, 1974. Applicant: *NATIONAL CARRIERS, INC.*, 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Pickle products*, in containers, from the plantsite of Vlasco Foods, Inc., located at or near Greenville, Miss., to points in the United States (except Alaska and Hawaii); and (2) *supplies and materials* used in the manufacture and production of pickle products, from points in the United States (except Alaska and Hawaii), to the plantsite of Vlasco Foods, Inc., at or near Greenville, Miss.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139501 (Sub-No. 1), filed Nov. 29, 1974. Applicant: *RICHARD W. BERNHARDT*, 11916 N.E. 28th Street, Vancouver, Wash. 98662. Applicant's representative: Richard W. Bernhardt (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa pellets*, from Ephrata, Wash., to points in Oregon.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Vancouver, Wash., or Olympia, Wash.

No. MC 139741 (Sub-No. 2), filed Nov. 22, 1974. Applicant: *D & D DISPOSAL SERVICES, LIMITED*, Victoria Avenue, South Vineland, Regional Road 24, P.O. Box 402, Beamsville, Ontario, Canada L0R 1B0. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid waste and spent materials for reclamation*; and *articles reclaimed from waste and spent materials*, between ports of entry on the

International Boundary line between the United States and Canada, on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 139887 (Sub-No. 1), filed November 21, 1974. Applicant: *G. E. BAXTER TRANSPORT, INC.*, 1521 Fifth Avenue, Los Angeles, Calif. 90019. Applicant's representative: David P. Christianson, 606 South Olive Street, Suite 825 Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, other than those designed to be drawn by passenger automobiles, chassis, cargo containers, and trailer parts and articles used in the manufacture of trailers when moving in trailers of shippers, between points in California, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under contract with Strick Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 139970 (Sub-No. 1), filed November 14, 1974. Applicant: *D. L. FLEMING, R.D. 1*, Shelocta, Pa. 15774. Applicant's representative: H. Ray Pope, 10 Grant Street, Clarion, Pa. 16214. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Barrel staves and barrel headings*, from points in Whitesburg, Kittanning, and Plumcreek Townships (Armstrong County), Pa., to Louisville, Ky., Baltimore, Md., Lebanon, Ky., and the port of entry on the International Boundary Line between the United States and Canada located in Buffalo, N.Y., under contract with Perry & Megnin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 139974, filed June 24, 1974. Applicant: *LOUIE AUSTIN*, doing business as *AUSTIN TRUCK SERVICE*, 151 South 33rd Street, Richmond, Calif. 94804. Applicant's representative: Donald Warden, 44 Montgomery Street, Suite 1366, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except in tank vehicles), from Richmond, Calif., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif., or Seattle, Wash.

No. MC 139991 (Sub-No. 1), filed December 2, 1974. Applicant: *JERRY COHEN*, doing business as *FASHION CARRIERS REG'D*, 8085 Champ D'Eau, St. Leonard, Province of Quebec, Canada. Applicant's representative: Adrien R. Paquette, 200 St. Jacques St. West, Montreal, Province of Quebec, Canada H2Y 1M1. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Hanging garments and merchandise related thereto*, carried in trucks specially equipped with racks (except commodities in bulk), (1) from points on the International Boundary line between the United States and Canada at or near Derby Line, and Highgate Springs, Vermont, Rouses Point and Champlain, New York, on the one hand, and, on the other, points in New York, N.Y., and its Commercial Zone, and North Bergen, Secaucus, Jersey City, N. J., restricted to traffic having a prior or subsequent movement in foreign commerce; and (2) *hanging garments and merchandise related thereto*, from Sacco and Berwick, Maine, Newbury Park and Peabody, Mass., Merrimack, N.H., to points on the International Boundary line between the United States and Canada at or near Derby Line, and Highgate Springs, Vt., Rouses Point, and Champlain, N.Y., restricted to traffic moving in foreign commerce, and further restricted to traffic destined to Montreal, Province of Quebec, Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Montpelier, Vt.

No. MC 140083 (Sub-No. 1), filed November 25, 1974. Applicant: FLORENCE N. SOBEL, a Proprietorship, doing business as GENTRY FORWARDING COMPANY, 194 County Ave., Secaucus, N.J. 07094. Applicant's representative: Lawrence E. Lindeman, Suite 1032, Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* (except those designed to be drawn by passenger automobiles), *containers*, and *trailer chassis*, between Middletown and Monticello, N.Y.; Fairless Hills and Berwick, Pa.; and Secaucus, N.J., on the one hand, and, on the other, points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J.

No. MC 140226 (Sub-No. 2), filed November 26, 1974. Applicant: T & J TRUCKING, INC., 2 Northwest 5th Street, Dilworth, Minn. 56529. Applicant's representative: Charles E. Johnson, 425 Gate City Building, Fargo, N.D. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed vehicles*, *scrap vehicle parts*, *scrap engines and scrap metal*, from points in North Dakota, South Dakota, and Minnesota to points in Illinois, Iowa, Minnesota, Nebraska, and Wisconsin, under a continuing contract or contracts with Tri-State Salvage, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Fargo, N.D., or Minneapolis, Minn.

No. MC 140260, filed November 21, 1974. Applicant: MERRY SHIPPING

COMPANY, INC., 310 Bay Street, Savannah, Ga. 31402. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except automobiles), between points in the Savannah, Ga., Commercial Zone, including Savannah, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Savannah, Ga.

No. MC 140266 (Sub-No. 1), filed November 25, 1974. Applicant: BAKER TRUCK LINE, INC., 2906 29th Street North, P.O. Box 875, Lewiston, Idaho 83501. Applicant's representative: James W. Givens (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sawdust and woodchips*, between points in Idaho north of the Salmon River, under contract with Potlatch Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Lewiston, Moscow, or Coeur d'Alene, Idaho, or Spokane, Wash.

No. MC 140271 (Sub-No. 1), filed November 25, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acrylics and materials, equipment, and supplies* used in the manufacture thereof (except in bulk), between Hackensack, N.J., Stamford, Conn., and Dallas, Tex., on the one hand, and, on the other, points in and west of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota, restricted against the transportation of commodities which because of size or weight require the use of special equipment.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 140284 (Sub-No. 3), filed December 3, 1974. Applicant: JOSEPH D. HANNAH, doing business as HANNAH TRUCKING, 35 Rathburn Street, West Asheville, N.C. 28806. Applicant's representative: W. C. Mauldin, 417 Old Post Road, Cherryville, N.C. 28021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Junked and scrap automobiles*, for reclamation of raw materials, from points in Haywood County, N.C., to Atlanta, Ga., Columbia, S.C., and Knoxville and Rockwood, Tenn., under contract with Schulhofer's, Inc., at Waynesville, N.C.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Asheville or Charlotte, N.C., or Atlanta, Ga.

No. MC 140430, filed November 18, 1974. Applicant: DELLON R. CAPPER AND ROBERT M. NAWFEL, doing business as B AND B LEASING COMPANY, Miami, Ark. 85539. Applicant's representative: Donald E. Fernaays, Suite 312,

4040 East McDowell Road, Phoenix, Ariz. 85008. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and accompanying advertising material*, between Van Nuys, Calif., on the one hand, and, on the other, Globe, Miami, and Safford, Ariz.; and *empty pallets and refillable bottles* on return, under a continuing contract or contracts with Cactus Liquor Sales, Inc., and Jim Hafer Distributor.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 140337 (Sub-No. 1), filed November 29, 1974. Applicant: JESSE SHERMAN, doing business as SHERMAN TRAILER TRANSPORTATION, P.O. Box 3343, Cheyenne, Wyo. 82001. Applicant's representative: Robert S. Stuffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in Wyoming, Colorado, Nebraska, North Dakota, South Dakota, Montana, Idaho, and Utah.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Phoenix, Cheyenne, Wyo., or Denver, Colo.

No. MC 140405 (Sub-No. 2), filed Nov. 22, 1974. Applicant: FLORIDA CRATING AND PACKING, INC., 1511 East 11th Ave., Hialeah, Fla. 33010. Applicant's representative: Richard B. Austin, 214 Palm Coast II Bldg., 5255 N.W. 87th Ave., Miami, Fla. 33166. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Broward, Collier, Dade, Martin, and Palm Beach Counties, Fla., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pick-up and delivery services in connection with packing, crating, and containerization or unpacking, uncrating, or decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 140429, filed November 21, 1974. Applicant: WILLIAM F. HOOPS, INC., 440 North Keyser Avenue, Deshler, Ohio 43516. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Anti-freeze*, *windshield washer fluid*, *radiator sealers*, *transmission sealers*, *starting fluids*, *tire cleaners*, *power steering sealers*, *carburetor cleaners*, and *undercoating materials*, from Pandora, Ohio, to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Pennsylvania, Tennessee, Virginia, and West Virginia; and (B) *materials and supplies*, used in producing and packaging the commodities specified in (A) above (except commodities in bulk), from points in Delaware, Illinois, Indiana, Kentucky,

Maryland, Michigan, Missouri, New Jersey, New York, Pennsylvania, Tennessee, Virginia, and West Virginia, to Pandora, Ohio, under a continuing contract or contracts with Konalrad Products, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 140431, filed November 25, 1974. Applicant CRIDER TRUCK LEASING, INC., R.D. #4, Burtner Road, Butler, Pa. 16001. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household and laundry cleaning compounds, automotive cleaning compounds, swimming pool disinfectants and deodorizers, laundry bleach, fabric softeners, detergents, carpet cleaners, windshield washer compounds, window cleaning compounds, containers, caps, and closures*, from the plant site of James Austin Company at Mars (Butler County), Pa., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, Kentucky, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, Arkansas, Louisiana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas and (2) *cartons, containers, closures, labels, caps, caustic soda, alcohol detergents, and other materials and ingredients for resale for manufacturing and packaging the aforesaid commodities on return*, from the destination states named in (1) above, to the plant site of James Austin Company at Mars (Butler County), Pa., under a continuing contract with James Austin Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 140433, filed November 18, 1974. Applicant: CLARENCE H. GRATE, doing business as GRATES WRECKER SERVICE, 527 East Spring Street, LaGrange, Ind. 46761. Applicant's representative: Michael M. Yoder, Box 321, Topeka, Ind. 46571. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wrecked or disabled motor vehicles*, from points in Alabama, Arkansas, Arizona, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin, to points in LaGrange, Elkhart, Noble, and Steuben Counties, Ind.; and (2) *replacement vehicles for such wrecked vehicles*, from points in LaGrange, Elkhart, Steuben, and Noble Counties, Ind., to points in Alabama, Arkansas, Arizona, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missis-

siippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., or Indianapolis, Ind.

No. MC 140437, filed November 27, 1974. Applicant: JOHN CHARLESTON, doing business as CHARLESTON'S EXPRESS, 216 North Maine Avenue, Atlantic City, N.J. 08401. Applicant's representative: Matthew Aaron, 204 Feinstein Building, Bridgeton, N.J. 08302. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, in tank vehicles, and those requiring special equipment), from Atlantic City, N.J., to points in Atlantic, Cape May, Cumberland, and Salem Counties, N.J., under a continuing contract or contracts with Lit Brothers.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Philadelphia, Pa., or Trenton, N.J.

No. MC 140438, filed Nov. 29, 1974. Applicant: HAROLD C. DAHL, P.O. Box 211, Lowell, Ind. 46356. Applicant's representative: Edwin J. Simcox, 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood pallets*, from Tefft, Ind., to Oregon, Ohio; and (2) *padding, synthetic and cotton*, from Oregon, Ohio, to Lowell, Ind., restricted to traffic originating at or destined to, the plant and warehouse sites of Globe Industries, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 140454, filed November 22, 1974. Applicant: PERMA TRUCKING COMPANY, INC., 214 North Williamson Road, Blossburg, Pa. 16912. Applicant's representative: David A. Sutherland, 2001 Mass. Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk in dump vehicles, from points in Lycoming, Sullivan, and Tioga Counties, Pa., to points in Broome, Chenango, Tioga, and Tompkins Counties, N.Y., under a continuing contract or contracts with P and M Coal Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

APPLICATION(S) OF PASSENGERS

No. MC 139343 (Sub-No. 4), filed November 22, 1974. Applicant: MEXICO COACH, INC., 1050 Kettner Blvd., San Diego, Calif. 92101. Applicant's representative: Eric Rath, P.O. Box 226, La Jolla, Calif. 92037. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round trip, charter operations, from the Inter-

national Boundary line between the United States and the Republic of Mexico at San Ysidro, Calif., and Tijuana, B.C., Mexico, to points in California, Nevada, and Arizona.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

BROKER APPLICATION(S)

No. MC 130274 (Correction), filed October 25, 1974, and published in the FEDERAL REGISTER, issue of November 27, 1974, and republished as corrected this issue. Applicant: WILLIAM S. PEPPER and ANN C. PEPPER, doing business as MOUNT DESERT TRAVEL, Box 407, Main Street, Northeast Harbor, Maine 04662. Applicant's representative: William S. Pepper (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Northeast Harbor, Maine, to sell or offer to sell the transportation of *Passengers and their baggage*, in round trip sightseeing or pleasure tours, between points in Hancock County, Maine, on the one hand, and, on the other, points in the United States, including Alaska, Hawaii, and points along the International Boundary line between the United States and Canada.

NOTE.—The purpose of this correction is to clarify the authority sought, and to modify the territorial description. If a hearing is deemed necessary, applicant requests it be held at Ellsworth, Bangor, or Portland, Maine.

No. MC 130281, filed November 22, 1974. Applicant: AL HOWARD ESPESETH AND C. J. ESPESETH, a Partnership, doing business as AL HOWARD PROPERTIES, 2118 Skeels Avenue, Eau Claire, Wis. 54701. Applicant's representative: James L. Nelson, 325 Cedar Street, St. Paul, Minn. 55101. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker*, at Eau Claire, Wis., to sell or offer to sell the transportation of *Groups of passengers and their baggage*, in special and charter operations, in all expense tours, by motor, rail, water, and air carriers, between Eau Claire, Wis., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul or Minneapolis, Minn.

FREIGHT FORWARDER APPLICATION(S)

No. FF 377 (Sub-No. 1), filed December 3, 1974. Applicant: PARAMOUNT FORWARDERS, INC., 3164 Springfield Road, P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: Alan F. Wohlsetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by rail, motor, water, and express, in the transportation of (a) *Used household goods*; (b) *unaccompanied baggage*; and (c) *used automobiles*, between points in the United States, including Hawaii but excluding Alaska,

restricted in (b) above to the transportation of import-export traffic.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. FF 463, filed December 3, 1974. Applicant: INTERINTRA FORWARDING, INC., 6650 Hawaii Kai Drive, Honolulu, Hawaii 96825. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by rail, motor, water, and express, in the transportation of *used household goods, unaccompanied baggage, and used automobiles*, between points in the United States including Hawaii but excluding Alaska, restricted to the transportation of import-export traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Honolulu, Hawaii.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-30131 Filed 12-26-74; 8:45 am]

[Notice No. 103]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 20, 1974.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by the new Special Rule 1100.247 of the Commission's rules of practice, published in the *FEDERAL REGISTER*, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

MOTOR CARRIERS OF PROPERTY

No. MC 138435 (Sub-No. 2) (Republication), filed October 5, 1973, and published in the *FEDERAL REGISTER* issue of November 29, 1973, and republished this issue. Applicant: LORBER TRUCK SALES & SERVICE, INC., 1140 Military Road, Buffalo, N.Y. 14217. Applicant's representative: William J. Hirsch, 35 Court Street, Buffalo, N.Y. 14217. An Order of the Commission, Review Board Number 2, dated December 6, 1974, and served December 12, 1974, finds that operation by applicant, in interstate or foreign commerce, as a *contract carrier*

by motor vehicle, over irregular routes, of *waste materials and recycled products* between points in Erie, Monroe, and Niagara Counties, N.Y., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted against the transportation of shipments originating at or destined to points in Canada, under a continuing contractor contracts with Chem-Trol Pollution Services, Inc., of Porter, N.Y., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate a modification to the territorial description. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted (January 27, 1975), during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC-5296 (Notice of filing of petition for modification of certificate), filed December 4, 1974. Petitioner: LACY'S EXPRESS, INC., 81 West Pitman Street, Penns Grove, N.J. 08069. Petitioner's representative: Martin Werner, 2 West 45th Street, New York, N.Y. 10036. Petitioner holds a motor *common carrier* certificate in No. MC 5296 issued November 29, 1965, authorizing transportation, over regular routes, of *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Philadelphia, Pa., and Salem, N.J., serving all intermediate points; and the off-route points of Woodbury, National Park, and Pedricktown, N.J.: From Philadelphia across the Delaware River to Camden, N.J., thence over New Jersey Highway 45 to junction U.S. Highway 130, and thence over U.S. Highway 130 to Pennsville, N.J., and thence over New Jersey Highway 49 to Salem, and return over the same route. By the instant petition, petitioner seeks to amend its certificate to read as follows: "*General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading): Between Philadelphia, Pa., and Salem, N.J., serving all intermediate points; and the off-route points of Woodbury, National Park, and Pedricktown, N.J., and those in Alloway, Quinton, and Lower

Alloways Creek Townships, N.J., (1) from Philadelphia across the Delaware River to Camden, N.J., thence over New Jersey Highway 45 to junction U.S. Highway 130, and thence over U.S. Highway 130 to Pennsville, N.J., and thence over New Jersey Highway 49 to Salem, and return over the same route, and (2) from Philadelphia across the Delaware River to Camden, N.J., thence over New Jersey Highway 45 to Westville, N.J., thence over New Jersey Highway 44 to Bridgeport, N.J., thence over U.S. Highway 130 to Pennsville, N.J., and thence over New Jersey Highway 49 to Salem and return over the same route." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before January 27, 1975.

No. MC 107295 (Sub-No. 375) (Notice of Filing of Petition for Modification of Certificate), filed December 9, 1974. Petitioner: PRE-FAB TRANSIT CO., a Corporation, 100 S. Main Street, P.O. Box 146, Farmer City, Ill. 61842. Petitioner's representative: Mack Stephenson (same address as petitioner). Petitioner holds a motor *common carrier* certificate in No. MC 107295 (Sub-No. 375) issued October 18, 1973, authorizing transportation, as pertinent, over irregular routes, of *insulated building panels*, from the plant site and storage facilities of Moncrief-Lenoir Manufacturing Company, at Houston, Tex., to points in the United States (except Alaska and Hawaii), with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the above-described plant site or storage facilities. By the instant petition, petitioner seeks modification of the commodity description to read: "*Building panels*." Everything else will remain the same. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before January 27, 1975.

No. MC 114552 (Sub-No. 32) (Notice of Filing of Petition for Modification of Certificate), filed December 10, 1974. Petitioner: SENN TRUCKING COMPANY, a Corporation, P.O. Drawer 220, Newberry, S.C. 29108. Petitioner's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Petitioner holds a motor *common carrier* certificate in No. MC 114552 (Sub-No. 32), issued April 2, 1968, authorizing transportation, as pertinent, over irregular routes, of *Citrus pulp, citrus meal, and oyster shells*, (1) from points in Florida, to points in Alabama, South Carolina, those points in that part of North Carolina west of U.S. Highway 1, Georgia (except Atlanta, Macon, and Waycross, and points in their commercial zones as defined by the Commission), Tennessee (except Chattanooga

and Nashville and points in their commercial zones as defined by the Commission), with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted above is restricted against the transportation of oyster shells, crushed, from Jacksonville, Fla., to those points in that part of Georgia on and north of U.S. Highway 80, and (2) from points in Mobile county, Ala., to points in Georgia, North Carolina, South Carolina, and Tennessee, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks modification of the commodity description to read: "*Citrus pulp, citrus meal, and shells or shell products.*" Everything else will remain the same. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before January 27, 1975.

No. MC 124554 (Partial Correction of a Notice of Filing of Petition for Modification of Permit), filed November 21, 1974, published in the FEDERAL REGISTER issue of December 11, 1974, and republished as corrected in part this issue. Petitioner: HILARD F. LANG, VIOLA LANG, JOHN F. LANG, AND FRANK J. LANG, TRUSTEES AND MEDARD SCHMITZ, doing business as LANG CARTAGE CORP., 338 S. 17th Street, Milwaukee, Wis. 53233. Petitioner's representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, Wis. 53203.

NOTE.—Petitioner holds a motor contract carrier permit in No. MC 124554 issued November 25, 1974. The purpose of this partial republication is to correctly state that parts (5) and (6) of the permit should read as follows: "(5) *such merchandise as is dealt in by wholesale drug business houses, from La Crosse, Wis., to points in Mitchell, Howard, Winnebago, Fayette, Clayton, and Allamakee Counties, Iowa, and Houston, Fillmore, Mower, Freeborn, Waseca, Steele, Dodge, Olmsted, Winona, Goodhue, and Wabasha Counties, Minn.; and (6) refused and returned merchandise, from points in the destination counties named next above, to La Crosse, Wis. Restriction: The operations authorized under the 2 routes next above are limited to a transportation service to be performed under a continuing contract, or contracts, with Yahr-Lange La Crosse Drug Company, Inc., of La Crosse, Wis.*" The rest of the notice remains as originally published. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before January 27, 1975.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-12200 (Interstate Contract Carrier Corp.—Purchase (Portion)—SIEFERT BROS. TRUCKING CO.), published in the April 24, 1974, issue of the FEDERAL REGISTER. By amendment filed December 12, 1974, persons now in control of the transferee, are Transport Services, Inc., John C. Williams and Roger J. Furness.

No. MC-F-12386. Authority sought for merger by SMITH & SOLOMON TRUCKING COMPANY, How Lane, New Brunswick, NJ 08903, of the operating rights and property of EAST COAST FREIGHT LINES, 3005 W. Marshall St., Richmond, VA 23230, and for acquisition by LEON SMITH and IRVING SMITH, both also of New Brunswick, NJ 08903, of control of such rights and property through the transaction. Applicants' attorney: Herbert Burstein, 1 World Trade Center, New York, NY 10048. Operating rights sought to be merged: *General commodities*, excepting, among others, dangerous explosives, household goods, and commodities in bulk, as a *common carrier*, over regular routes, between Richmond, Va., and New York, N.Y., serving all intermediate points, and at off-route points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665, and those in New York, N.Y., and New Jersey within 25 miles of New York, N.Y., with restrictions. Service is not authorized between Washington, D.C., and Alexandria, Va., for the movement of traffic originating at either point designated to the other, between Richmond, Va., and Petersburg, Va., serving all intermediate points, and the off-route points of Hopewell, Va., and Federal Reformatory Camp, Petersburg, Va., over numerous alternate routes for operating convenience only; and *general commodities*, excepting, among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between Richmond, Va., and the Richmond Deep Water Terminal near Richmond. SMITH & SOLOMON TRUCKING COMPANY is authorized to operate as a *common carrier* in New York, New Jersey, Maryland, Pennsylvania, Michigan, Texas, Wisconsin, Connecticut, Massachusetts, Rhode Island, Maine, Delaware, Virginia, North Carolina, South Carolina, Georgia, Indiana, Illinois, Florida, West Virginia, Tennessee, Kentucky, Alabama, Mississippi, Ohio, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE.—Pursuant to order dated December 29, 1970, in No. MC-F-10749, transferee acquired control of transferor.

No. MC-F-12387. Authority sought for purchase by CHARLES R. STROP, P.O. Box 1072, Hastings, NE 68901, of the operating rights of SHAW TRUCKING, INC., Juniata, NE 68955. Applicants' attorney: Arlyn L. Westergren, 530 Univac Bldg., 7100 West Center Rd., Omaha, NE 68106. Operating rights sought to be transferred: *Motor vehicle and recrea-*

*tional equipment, supplies, and accessories, as a contract carrier over irregular routes, from Wahoo, Nebr., to points in the United States (except Alaska, Hawaii, and Nebraska), equipment, materials, and supplies with exceptions from points in the United States (except Alaska and Hawaii), to Wahoo, Nebr., such commodities as are normally dealt in by lumber, lumber products, and forest product yards, from points in that part of Montana on and west of U.S. Highway 91, and points in Judith Basin County, Mont., that part of Idaho on and north of U.S. Highway 12, points in Gem, Ada, Lemhi, and Bingham Counties, Idaho, Spokane, Snohomish, King, Pierce, and Grays Harbor Counties, Wash., and Baker, Wasco, Hood River, Clackamas, Polk, Benton, Linn, Lane, Douglas, Josephine, Washington, and Multnomah Counties, Oreg., to points in Kansas, Nebraska, and that part of Missouri lying on and west of U.S. Highway 65, from the plant site of Mid-West Lumber Company at Lincoln, Nebr., to points in Kansas, Missouri, South Dakota, Minnesota, Iowa, and Illinois, with restrictions. Vendee is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).*

No. MC-F-12388. Authority sought for purchase by SOUTH BEND FREIGHT LINE, INC., 1200 South Olive St., P.O. Box 545, South Bend, IN 46624, of the operating rights of DELIA CARTAGE, INC., 9226 Golf Road, Des Plaines, IL 60016, and for acquisition by ABRAHAM MARCUS, 20089 Lark Drive, South Bend, IN, of control of such rights through the purchase. Applicants' attorney: Philip A. Lee, 120 W. Madison St., Suite 618, Chicago, IL 60602. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC 121255 (Sub-No. 1), covering the transportation of hardware, glassware, cosmetics, household furnishings, paper stock and office supplies; and also general commodities (except goods of unusual value, agricultural products, excavating in dumptrucks, liquid commodities in tank vehicles and heavy machinery), as a *common carrier*, in interstate commerce, within the State of Illinois. Vendee is authorized to operate as a *common carrier* in Illinois, Indiana, Iowa, Michigan, Kentucky, Ohio, and Wisconsin. Application has been filed for temporary authority under section 210a(b). Under the proposed transaction vendee proposes to tack or join the rights to be acquired at points in the Chicago, Ill., Commercial Zone. After the authority sought herein is authorized and the transaction consummated, vendee herein intends to file an application to eliminate any existing gateways.

NOTE.—MC 31533 (Sub-No. 13), is a matter directly related.

No. MC-F-12389. Authority sought for purchase by SOUTHWEST EQUIPMENT RENTAL, INC., doing business as

SOUTHWEST MOTOR FREIGHT, 4284 Mission Blvd., Pomona, CA 91769, of a portion of the operating rights of **COASTAL CONTRACT CARRIER CORPORATION**, P.O. Box 261, Selmer, TN 38375, and for acquisition by **MAX LEE FULLER**, 2909 Hickory St., Chattanooga, TN 37407, of control of such rights through the purchase. Applicants' attorneys: Patrick E. Quinn, P.O. Box 82028, Lincoln, NE 68501, and R. Connor Wiggins, Jr., Suite 909, 100 North Main Bldg., Memphis, TN 38103. Operating rights sought to be transferred: *Such commodities as are used by or dealt in by retail fabric stores, supplies, as a contract carrier over irregular routes, between the facilities of House of Fabrics of South Carolina, Inc., at Montclair, Calif., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); such merchandise as is sold by retail fabric stores, between the facilities of House of Fabrics of South Carolina, Inc., at or near Mauldin, S.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca and Koochiching Counties, Minn., to the United States-Canada Boundary line. Vendee is authorized to operate as a contract carrier in California, Arkansas, Colorado, Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, Wisconsin, and Nevada; and as a common carrier in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).*

No. MC-F-12390. Authority sought for control by **FRANK MARTZ COACH COMPANY**, 239 Old River Rd., Wilkes-Barre, PA 18702, of **ATWOOD'S TRANSPORT LINES, INC.**, 5500 Tuxedo Rd., Tuxedo, MD 20781, and for acquisition by **FRANK M. HENRY**, also of Wilkes-Barre, PA 18702, of control of **ATWOOD'S TRANSPORT LINES, INC.**, through the acquisition by **FRANK MARTZ COACH COMPANY**. Applicants' attorneys: Robert H. Griswold, P.O. Box 1166, Harrisburg, PA 17108, L. C. Major, Jr., 301 Tavern Square, Alexandria, VA 22314, and William C. Chesnutt, 1776 F St. NW., Washington, DC 20006. Operating rights sought to be controlled: Passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a common carrier over regular routes, between Washington, D.C., and Point Lookout, Md., between Jarboesville and Piney Point, Md., serving all intermediate points; passengers and their baggage, between Washington, D.C., and the site of the United States Atomic Energy Commission, near Germantown, Md., serving no intermediate points; passengers and their baggage, restricted to traffic originating at the point indicated, in charter operations, over irregular routes, from Washington, D.C., to Alexandria, Arlington National Cemetery,

and Mt. Vernon, Va., and return. **FRANK MARTZ COACH COMPANY** is authorized to operate as a common carrier in New Jersey, New York, and Pennsylvania. Application has been filed for temporary authority under section 210 a(b).

Illinois Central Gulf Railroad Company, 233 North Michigan Avenue, Chicago, Illinois 60601, represented by Mr. Robert D. Kelly, filed application on December 4, 1974, under section 5(2) of the Interstate Commerce Act for authority to acquire trackage rights over approximately 0.7 mile of track of the **Illinois Terminal Railroad Company** located in Sangamon County, south of Springfield, Illinois. This application has been assigned Finance Docket No. 27805. On the same day, the **Illinois Central Gulf Railroad Company** filed an application under section 1(18) of the Interstate Commerce Act for authority to construct two segments of track on each end of the **Illinois Terminal Railroad Company** located in Sangamon County, south of Springfield, Illinois. The construction application has been assigned Finance Docket No. 27806.

In the opinion of the applicant, the authority sought by these applications is not a major Federal action significantly affecting the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—National Environmental Policy Act of 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461. The proceedings will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than January 27, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-30126 Filed 12-26-74; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

DECEMBER 23, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065 (a)), and notice thereof to

all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before January 6, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively-filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 30280 (Sub-No. E31) (Correction), filed May 6, 1974, published in the **FEDERAL REGISTER** June 13, 1974. Applicant: **WATKINS CAROLINA EXPRESS, INC.**, P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Paul Daniell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in that part of Georgia on and west of a line beginning at the Georgia-Florida State line, thence along U.S. Highway 221 to Harlem, thence along Georgia Highway 47 to Wrens, thence along Georgia Highway 80 to Waynesboro, thence along U.S. Highway 25 to Statesboro, thence along U.S. Highway 25/301 to Nahanta, thence along U.S. Highway 84 to Atkinson, thence along Georgia Highway 110 to Waverly, thence along U.S. Highway 17 to Kingsland, thence along Georgia Highway 40 to St. Marys, on the one hand, and, on the other, Charlotte, N.C. The purpose of this filing is to eliminate the gateway of Greenville, S.C. The purpose of this correction is to clarify the territorial description.*

No. MC 60157 (Sub-No. E4) (correction), filed May 10, 1974, published in the **FEDERAL REGISTER** November 25, 1974. Applicant: **C. A. WHITE TRUCKING CO., INC.**, 5327 N. Central Expressway, Suite 310, Dallas, Tex. 75205. Applicant's representative: Frank Crane (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and machinery, materials, equipment, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between points in Montana west of a line beginning at the International Boundary line between the United States and*

Canada and extending along Montana Highway 241 to Harlem, thence along U.S. Highway 2 to Ft. Belknap, thence along Montana Highway 376 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction Montana Highway 19, thence along Montana Highway 19 to junction U.S. Highway 87, thence along U.S. Highway 87 to Billings, thence along Interstate Highway 10 to junction U.S. Highway 310, thence along U.S. Highway 310 to the Montana-Wyoming State line, and points in Kansas south of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 54 to junction U.S. Highway 154, thence along U.S. Highway 154 to Dodge City, thence along U.S. Highway 50 to the Kansas-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Texas. The purpose of this correction is to clarify the commodity description.

No. MC 61057 (Sub-No. E5) (correction), filed May 10, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: C. A. WHITE TRUCKING CO., INC., 5327 N. Central Expressway, Suite 310, Dallas, Tex. 75205. Applicant's representative: Frank Crane (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between points in Wyoming and points in that part of Kansas south of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 160 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Kansas Highway 57, thence along Kansas Highway 57 to junction Kansas Highway 47, thence along Kansas Highway 47 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction Kansas Highway 96 to Wichita, thence along U.S. Highway 54 to junction U.S. Highway 154, thence along U.S. Highway 154 to Dodge City, thence along U.S. Highway 56 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of points in Texas. The purpose of this correction is to clarify the route description.

No. MC 60157 (Sub-No. E10) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: C. A. WHITE TRUCKING CO., INC., 5327 N. Central Expressway, Suite 310, Dallas, Tex. 75205. Applicant's representative: Frank Crane (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in, or in connection with, the dis-

covery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products, and byproducts, and *machinery, materials, equipment, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, between points in Louisiana, Oklahoma, Kansas, Colorado, Utah, Wyoming, and Montana. The purpose of this filing is to eliminate the gateway of points in Texas. The purpose of this correction is to clarify the territorial description.

No. MC 76177 (Sub-No. E78), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives and blasting supplies*, between points in North Carolina, on the one hand, and, on the other, points in Kansas, Missouri, New Mexico, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of (1) points in Alabama, and (2) points which are both within 15 miles of Energy, Ill., and within 15 miles of Wolf Lake, Ill.

No. MC 76177 (Sub-No. E91), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Maryland to points in Arkansas. The purpose of this filing is to eliminate the gateways of (1) the storage magazine of the Trojan-U.S. Powder, Division of Commercial Solvents Corp., located at the junction of West Virginia Highway 62 and White Church Road near Point Pleasant (Mason County), W. Va., (2) Grafton, Ill., and points within 2 miles thereof; and (3) Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E92), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives, and blasting supplies*, from points in Kentucky, Virginia, and West Virginia to points in Utah, Wyoming, and Colorado. The purpose of this filing is to eliminate the gateways of (1) Grafton, Ill., and points within 2 miles thereof, and (2) Atlas, Mo., and points within 6 miles of Carthage, Mo.

No. MC 76177 (Sub-No. E93), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd

Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Arizona, Colorado, Kansas, and Oklahoma, to points in Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E95), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Maryland, New York and Pennsylvania to points in Kansas. The purpose of this filing is to eliminate the gateways of (1) the storage magazines of the Trojan-U.S. Powder, Division of Commercial Solvents Corp., located at the junction of West Virginia Highway 62 and White Church Road near Point Pleasant (Mason County), W. Va., and (2) Grafton, Ill., and points within 2 miles thereof.

No. MC 76177 (Sub-No. E96), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Texas to points in Ohio. The purpose of this filing is to eliminate the gateways of (1) Jasonville, Ind., and points within 15 miles thereof, and (2) those points which are both within 15 miles of Energy, Ill., and within 15 miles of Wolf Lake, Ill.

No. MC 76177 (Sub-No. E97), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Oklahoma to points in Maryland. The purpose of this filing is to eliminate the gateways of (1) points in West Virginia within 10 miles of Martinsburg, W. Va. (except Martinsburg), and (2) Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E98), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Louisiana to points in West Virginia. The purpose of this filing

is to eliminate the gateway of McAdory, Ala., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E99), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in New Mexico to points in Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of those points which are both within 15 miles of Wolf Lake, Ill., and within 15 miles of Energy, Ill.

No. MC 76177 (Sub-No. E100), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Texas to points in West Virginia. The purpose of this filing is to eliminate the gateway of those points which are both within 15 miles of Energy, Ill., and within 15 miles of Wolf Lake, Ill.

No. MC 76177 (Sub-No. E101), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Oklahoma and Arizona to points in Indiana. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E102), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Montana to points in Virginia. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E103), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Oklahoma and Minnesota to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E105), filed May 6, 1974. Applicant: BAGGETT

TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Louisiana and Mississippi to points in Michigan. The purpose of this filing is to eliminate the gateway of the plant site of Trojan-U.S. Powder, Division of Commercial Solvents Corporation, at or near Ordill, Ill.

No. MC 76177 (Sub-No. E106), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T.C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Utah and Wyoming to points in Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of (1) Atlas, Mo., or (2) those points which are both within 15 miles of Atlas, Mo., and within 6 miles of Carthage, Mo.

No. MC 76177 (Sub-No. E107), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T.C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Pennsylvania to points in Texas. The purpose of this filing is to eliminate the gateway of (1) Jasonville, Ind., and points within 15 miles thereof, (2) Grafton, Ill., and points within 2 miles thereof, and (3) Wolf Lake, Ill., and points within 15 miles thereof.

No. MC 76177 (Sub-No. E111), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Indiana, Kentucky, Ohio, Virginia and West Virginia, to points in Kansas. The purpose of this filing is to eliminate the gateway of Grafton, Ill., or any point within 2 miles thereof.

No. MC 76177 (Sub-No. E108), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Alabama 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in New Mexico and Missouri, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateways of (1) any point which is both within 15 miles of Wolf Lake, Ill., and within 15 miles of Energy, Ill., and (2) points in Alabama.

No. MC 76177 (Sub-No. E109), filed May 6, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Alabama 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A, B and C explosives, and blasting supplies*, between points in Georgia, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateway of (1) any point which is both within 15 miles of Energy, Ill., and within 15 miles of Wolf Lake, Ill., and (2) points in Alabama.

No. 82063 (Sub-No. E1), filed June 4, 1974. Applicant: KLIPSCH HAULING CO., 112 North Fourth St., St. Louis, Missouri 63102. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, (1) from Dupo, Ill., to points in Oklahoma and Texas (except points in Harris County, Tex.), Springfield, and Verona, Mo., (2) from Dupo, Ill., to points in Louisiana, Harris County, Texas, and those points in Alabama on and south of a line beginning at the Mississippi-Alabama State line and extending along Alabama Highway 56 to its junction with U.S. Highway 43, thence along U.S. Highway 43 to its junction with Interstate Highway 65, thence along Interstate Highway 65 to its junction with Alabama Highway 21, thence along Alabama Highway 21 to the Alabama-Florida State line, and those points in Mississippi on and south of a line beginning at the Arkansas-Mississippi State line, and extending along Mississippi Highway 8 to its junction with U.S. Highway 61 thence along U.S. Highway 61 to its junction with Mississippi Highway 12, thence along Mississippi Highway 12 to its junction with U.S. Highway 49, thence along U.S. Highway 49 to its junction with Interstate Highway 20, thence along Interstate Highway 20 to its junction with Mississippi Highway 18, thence along Mississippi Highway 18 to its junction with Mississippi Highway 15, thence along Mississippi Highway 15 to its junction with U.S. Highway 84, thence along U.S. Highway 84 to its junction with U.S. Highway 45, thence along U.S. Highway 45 to the Mississippi-Alabama State line (Pine Bluff, Ark.), from Dupo, Ill., to points in Ohio (Mt. Carmel, Ill.). The purpose of this filing is to eliminate the gateways designated by asterisks above.

No. MC 83745 (Sub-No. E21), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized

handling except articles requiring special vehicular equipment for over-the-road movements between points in Westmoreland County, Pa., within 25 miles of Pittsburgh, Pa., on and north of U.S. Highway 30, on the one hand, and, on the other, points in West Virginia except Marion, Preston, and Monongalia Counties. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83745 (Sub-No. E27), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities generally requiring rigging, special equipment, or specialized handling except articles requiring special vehicular equipment for over the road movements, between Claysville, Pa., on the one hand, and, on the other, points in West Virginia on and south of U.S. Highway 50, points in Ohio on and west of Interstate Highway 75, and points in Maryland on and east of U.S. Highway 200.*

No. MC 83835 (Sub-No. E12), filed May 14, 1974. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: William A. Cunningham (same as above). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: (A) *Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith (restricted to commodities which are transported on trailers), and (B) Commodities which, because of their size or weight, require the use of special equipment; (a) between points in Missouri and Oklahoma, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, Utah, and Wyoming; (b) between points in Illinois, on the one hand, and, on the other, points in New Mexico and Utah; (c) between points in Texas, on the one hand, and, on the other, points in Nebraska; (d) between points in Nebraska, on the one hand, and, on the other, points in that part of New Mexico on and east of a line beginning at the New Mexico-Oklahoma State line, thence along New Mexico Highway 18 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with New Mexico Highway 90, thence along New Mexico Highway 90 to its junction with U.S. Highway 80, thence along U.S. Highway 80 to the New Mexico-Arizona State line; (e) between points in Illinois, on the one hand, and, on the other, points in that part of Wyoming on and west of a line beginning*

at the Wyoming-Montana State line, thence along Interstate Highway 90 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the Wyoming-Colorado State line, and in that part of Montana on and west of a line beginning at the U.S.-Canada International Boundary line, thence along U.S. Highway 91 to its junction with U.S. Highway 89, thence along U.S. Highway 89 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to its junction with U.S. Highway 212, thence along U.S. Highway 212 to the Montana-Wyoming State line;

(f) Between points in Utah, on the one hand, and, on the other, points in that part of Nebraska on and east of a line beginning at the Nebraska-Colorado State line, thence along Nebraska Highway 23 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with Nebraska Highway 70, thence along Nebraska Highway 70 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-South Dakota State line, and in that part of Colorado on and east of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to the Colorado-Oklahoma State line; (g) between points in Wyoming, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the Illinois-Iowa State line, thence along Illinois Highway 2 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with U.S. Highway 41, thence along U.S. Highway 41 to the Illinois-Wisconsin State line, and in that part of Colorado on and east of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to the Colorado-Oklahoma State line, and in that part of Nebraska on and south of a line beginning at the Nebraska-Iowa State line, thence along Nebraska Highway 2 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line; (h) between points in South Dakota, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 70 to its junction with Illinois Highway 1, thence along Illinois Highway 1 to its junction with Illinois Highway 16, thence along Illinois Highway 16 to its junction with Illinois Highway 121, thence along Illinois Highway 121 to its junction with Interstate Highway 72, thence along Interstate Highway 72 to its junction with Illinois Highway 125, thence along Illinois Highway 125 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and in that part of Colorado on and south of a line be-

ginning at the Colorado-Kansas State line, thence along U.S. Highway 160 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-New Mexico State line.

(i) Between points in North Dakota, on the one hand, and, on the other, points in that part of Nebraska on and south of a line beginning at the Nebraska-Colorado State line, thence along Nebraska Highway 23 to its junction with U.S. Highway 283, thence along U.S. Highway 283 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Nebraska Highway 10, thence along Nebraska Highway 10 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with Nebraska Highway 33, thence along Nebraska Highway 33 to its junction with Nebraska Highway S-55F, thence along Nebraska Highway S-55F to its junction with Nebraska Highway 43, thence along Nebraska Highway 43 to its junction with Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Missouri State line, and in that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 150 to its junction with Illinois Highway 16, thence along Illinois Highway 16 to its junction with Interstate Highway 57, thence along Interstate Highway 57 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Illinois Highway 125, thence along Illinois Highway 125 to its junction with Illinois Highway 103, thence along Illinois Highway 103 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and in that part of Colorado on and south of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Colorado Highway 71, thence along Colorado Highway 71 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with Colorado Highway 115, thence along Colorado Highway 115 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to its junction with U.S. Highway 285, thence along U.S. Highway 285 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to the Colorado-Arizona State line; (j) between points in Montana, on the one hand, and, on the other, points in that part of Nebraska on and south of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 6 to its junction with Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Iowa State line, and in that part of Illinois on and south of a line beginning at the Illinois-Missouri State line, thence along U.S. Highway 34 to its junction with Illinois Highway 150, thence along Illinois Highway 150 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with Interstate Highway 57, thence along Interstate Highway 57 to its junction with Illinois Highway 17, thence along

Illinois Highway 17 to its junction with Illinois Highway 1, thence along Illinois Highway 1 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with the Illinois-Indiana State line; (k) between points in that part of Nebraska on and south of a line beginning at the Nebraska-Iowa State line, thence along U.S. Highway 30 to its junction with U.S. Highway 283, thence along U.S. Highway 283 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to the Nebraska-Colorado State line, on the one hand, and, on the other, points in that part of Wyoming on and west of a line beginning at the Wyoming-Colorado State line, thence along U.S. Highway 287 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Wyoming Highway 789, thence along Wyoming Highway 789 to its junction with Wyoming Highway 120, thence along Wyoming Highway 120 to the Wyoming-Montana State line.

(l) Between points in that part of Nebraska on and south of a line beginning at the Nebraska-Iowa State line, thence along U.S. Highway 6 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line, on the one hand, and, on the other, points in that part of Wyoming on and south of a line beginning at the Wyoming-Nebraska State line, thence along U.S. Highway 30 to its junction with Wyoming Highway 91, thence along Wyoming Highway 91 to its junction with Wyoming Highway 487, thence along Wyoming Highway 487 to its junction with Wyoming Highway 220, thence along Wyoming Highway 220 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with Wyoming Highway 120, thence along Wyoming Highway 120 to its junction with Wyoming Highway 296, thence along Wyoming Highway 296 to the Wyoming-Montana State line; (m) between points in that part of Nebraska on and east of U.S. Highway 83, on the one hand, and, on the other, points in that part of Utah on and east of a line beginning at the Utah-Arizona State line, thence along U.S. Highway 91 to its junction with Utah Highway 4, thence along Utah Highway 4 to its junction with U.S. Highway 89, thence along U.S. Highway 89 to its junction with Utah Highway 4, thence along Utah Highway 4 to its junction with Utah Highway 10, thence along Utah Highway 10 to its junction with Utah Highway 33, thence along Utah Highway 33 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Utah Highway 44, thence along Utah Highway 44 to the Utah-Wyoming State line.

(n) Between points in that part of Nebraska on and south of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 136, thence along U.S. Highway 136 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with Nebraska Highway 4, thence along Nebraska

Highway 4 to its junction with U.S. Highway 136, thence along U.S. Highway 136 to the Nebraska-Missouri State line, on the one hand, and, on the other, points in that part of South Dakota on and north of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 18 to its junction with South Dakota Highway 44, thence along South Dakota Highway 44 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to the South Dakota-Iowa State line; (o) between points in that part of Nebraska on and east of a line beginning at the Nebraska-South Dakota State line, thence along U.S. Highway 385 to its junction with U.S. Highway 26, thence along U.S. Highway 26 to its junction with Nebraska Highway 27, thence along Nebraska Highway 27 to the Nebraska-Colorado State line, on the one hand, and, on the other, points in that part of New Mexico on and south of a line beginning at the New Mexico-Arizona State line, thence along New Mexico Highway 504 to its junction with U.S. Highway 550, thence along U.S. Highway 550 to its junction with New Mexico Highway 17, thence along New Mexico Highway 17 to its junction with New Mexico Highway 44, thence along New Mexico Highway 44 to its junction with New Mexico Highway 126, thence along New Mexico Highway 126 to its junction with New Mexico Highway 4, thence along New Mexico Highway 4 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with New Mexico Highway 18, thence along New Mexico Highway 18 to the New Mexico-Oklahoma State line;

(p) Between points in that part of Montana on and west of a line beginning at the Montana-Idaho State line, thence along U.S. Highway 91 to its junction with Interstate Highway 15, thence along Interstate Highway 15 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Montana Highway 232, thence along Montana Highway 232 to the U.S.-Canada International Boundary line, on the one hand, and, on the other, points in that part of Nebraska on and south of a line beginning at the Nebraska-Iowa State line, thence along U.S. Highway 30 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with Nebraska Highway 23, thence along Nebraska Highway 23 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to the Nebraska-Colorado State line; (q) between points in that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 24 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Illinois Highway 116, thence along Illinois Highway 116 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the

Illinois-Iowa State line, on the one hand, and, on the other, points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line, thence along South Dakota Highway 63 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with South Dakota Highway 47, thence along South Dakota Highway 47 to its junction with U.S. Highway 212, thence along U.S. Highway 212 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to its junction with South Dakota Highway 73, thence along South Dakota Highway 73 to the South Dakota-Nebraska State line.

(r) Between points in that part of South Dakota on and west of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 18 to its junction with South Dakota Highway 71, thence along South Dakota Highway 71 to the South Dakota-Nebraska State line, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at Lake Michigan, thence along U.S. Highway 66 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Iowa State line;

(s) between points in that part of North Dakota on and west of a line beginning at the U.S.-Canada International Boundary line, thence along U.S. Highway 52 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 23, thence along North Dakota Highway 23 to its junction with Interstate Highway 94, thence along Interstate Highway 94 to its junction with North Dakota Highway 8, thence along North Dakota Highway 8 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the Indiana-Illinois State line, thence along Interstate Highway 74 to its junction with Illinois Highway 116, thence along Illinois Highway 116 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Missouri State line.

(t) Between points in that part of Montana on and west of a line beginning at the U.S.-Canada International Boundary line, thence along Interstate Highway 15 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with U.S. Highway 191, thence along U.S. Highway 191 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with Montana Highway 3, thence along Montana Highway 3 to its junction with

U.S. Highway 10, thence along U.S. Highway 10 to its junction with U.S. Highway 212, thence along U.S. Highway 212 to the Montana-Wyoming State line, on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at Lake Michigan, thence along U.S. Highway 66 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line; (u) between points in that part of Colorado on and south of a line beginning at the Utah-Colorado State line, thence along Interstate Highway 70 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line, on the one hand, and, on the other, points in that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, thence along U.S. Highway 83 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 183, thence U.S. Highway 183 to the South Dakota-Nebraska State line; (v) between points in that part of North Dakota on and east of U.S. Highway 83, on the one hand, and, on the other, points in that part of Colorado on and south of a line beginning at the Utah-Colorado State line, thence along Interstate Highway 70 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line.

(w) Between points in Montana, on the one hand, and, on the other, points in that part of Colorado on and east of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Colorado Highway 196, thence along Colorado Highway 196 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to its junction with Colorado Highway 194, thence along Colorado Highway 194 to its junction with Colorado Highway 109, thence along Colorado Highway 109 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to the Colorado-Oklahoma State line; (x) between points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 10 to its junction with Montana Highway 200S, thence along Montana Highway 200S to its junction with Montana Highway 200, thence along Montana Highway 200 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Interstate Highway 15,

thence along Interstate Highway 15 to its junction with U.S. Highway 91, thence along U.S. Highway 91 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to the Idaho-Montana State line, on the one hand, and, on the other, points in that part of Colorado on and east of a line beginning at the Nebraska-Colorado State line, thence along U.S. Highway 34 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Colorado Highway 71, thence along Colorado Highway 71 to its junction with U.S. Highway 350, thence along U.S. Highway 350 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the New Mexico-Colorado State line. The purpose of this filing is to eliminate the gateways of points in Kansas.

No. MC 83635 (Sub-No. E17), filed May 14, 1974. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: William A. Cunningham (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Contractors' commodities*, which because of size or weight, require the use of special equipment, (a) between points in Wyoming, on the one hand, and, on the other, points in Indiana, Ohio, and Pennsylvania; (b) between points in Pennsylvania, on the one hand, and, on the other, points in Montana, Utah, and in that part of North Dakota on and west of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 2 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to its junction with North Dakota Highway 22, thence along North Dakota Highway 22 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to the North Dakota-South Dakota State line, and in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line, thence along South Dakota Highway 45 to its junction with South Dakota Highway 10, thence along South Dakota Highway 10 to its junction with South Dakota Highway 45, thence along South Dakota Highway 45 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with South Dakota Highway 37, thence along South Dakota Highway 37 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with South Dakota Highway 25, thence along South Dakota Highway 25 to its junction with U.S. Highway 14, thence along U.S. Highway 14 to the South Dakota-Minnesota State line; (c) between points in Indiana, on the one hand, and, on the other, points in Utah.

(d) Between points in South Dakota, on the one hand, and, on the other, points in that part of Indiana on and south of a line beginning at the Indiana-Illinois

State line, thence along U.S. Highway 40 to its junction with Indiana Highway 46, thence along Indiana Highway 46 to its junction with Indiana Highway 37, thence along Indiana Highway 37 to its junction with U.S. Highway 150, thence along U.S. Highway 150 to the Indiana-Kentucky State line, and in that part of Pennsylvania on and south of a line beginning at the Pennsylvania-West Virginia State line, thence along U.S. Highway 40 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Pennsylvania Highway 271, thence along Pennsylvania Highway 271 to its junction with Pennsylvania Highway 63, thence along Pennsylvania Highway 63 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to its junction with U.S. Highway 522, thence along U.S. Highway 522 to its junction with U.S. Highway 15, thence along U.S. Highway 15 to its junction with Pennsylvania Highway 45, thence along Pennsylvania Highway 45 to its junction with U.S. Highway 11, thence along U.S. Highway 11 to its junction with Pennsylvania Highway 590, thence along Pennsylvania Highway 590 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to the Pennsylvania-New York State line; (e) between points in Ohio, on the one hand, and, on the other, points in that part of South Dakota on and south of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 212 to its junction with South Dakota Highway 34, thence along South Dakota Highway 34 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 14, thence along U.S. Highway 14 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to the South Dakota-Nebraska State line.

(f) Between points in South Dakota, on the one hand, and, on the other, points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 40 to its junction with Indiana Highway 46, thence along Indiana Highway 46 to its junction with Indiana Highway 37, thence along Indiana Highway 37 to its junction with U.S. Highway 150, thence along U.S. Highway 150 to the Indiana-Kentucky State line; (g) between points in Montana, on the one hand, and, on the other, points in that part of Indiana on and south of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 40 to its junction with U.S. Highway 421, thence along U.S. Highway 421 to its junction with Indiana Highway 29, thence along Indiana Highway 29 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Indiana-Illinois State

line; (h) between points in that part of North Dakota on and west of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 2 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to its junction with North Dakota Highway 22, thence along North Dakota Highway 22 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in that part of Ohio on and south of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 36 to its junction with U.S. Highway 25, thence along U.S. Highway 25 to its junction with Ohio Highway 47, thence along Ohio Highway 47 to its junction with Ohio Highway 4, thence along Ohio Highway 4 to its junction with Ohio Highway 95, thence along Ohio Highway 95 to its junction with U.S. Highway 42, thence along U.S. Highway 42 to its junction with Interstate Highway 71, thence along Interstate Highway 71 to its junction with U.S. Highway 224, thence along U.S. Highway 224 to its junction with Interstate Highway 76, thence along Interstate Highway 76 to its junction with Ohio Highway 44, thence along Ohio Highway 44 to its junction with Ohio Highway 5, thence along Ohio Highway 5 to its junction with Ohio Highway 82, thence along Ohio Highway 82 to the Ohio-Pennsylvania State line.

(i) Between points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 52 to its junction with Indiana Highway 26, thence along Indiana Highway 26 to its junction with Indiana Highway 29, thence along Indiana Highway 29 to its junction with Indiana Highway 28, thence along Indiana Highway 28 to its junction with Indiana Highway 13, thence along Indiana Highway 13 to its junction with Indiana Highway 32, thence along Indiana Highway 32 to its junction with Indiana Highway 67, thence along Indiana Highway 67 to its junction with Indiana Highway 3, thence along Indiana Highway 3 to its junction with Indiana Highway 38, thence along Indiana Highway 38 to its junction with U.S. Highway 35, thence along U.S. Highway 35 to the Indiana-Ohio State line, on the one hand, and, on the other, points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line, thence along South Dakota Highway 63, to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with South Dakota Highway 47, thence along South Dakota Highway 47 to its junction with U.S. Highway 212, thence along U.S. Highway 212 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 18, thence along U.S. Highway

18 to its junction with South Dakota Highway 73, thence along South Dakota Highway 73 to the South Dakota-Nebraska State line; (j) between points in that part of Indiana on and south of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 20 to its junction with U.S. Highway 27, thence along U.S. Highway 27 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Indiana-Illinois State line, on the one hand, and, on the other, points in that part of South Dakota on and west of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 212 to its junction with South Dakota Highway 34, thence along South Dakota Highway 34 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 16, thence along U.S. Highway 16 to its junction with South Dakota Highway 79, thence along South Dakota Highway 79 to its junction with U.S. Highway 385, thence along U.S. Highway 385 to the South Dakota-Nebraska State line.

(k) Between points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 136 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Ohio State line, on the one hand, and, on the other, points in that part of North Dakota on and west of a line beginning at the U.S.-Canada International Boundary line, thence along U.S. Highway 52 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 23, thence along North Dakota Highway 23 to its junction with North Dakota Highway 22, thence along North Dakota Highway 22 to its junction with Interstate Highway 94, thence along Interstate Highway 94 to its junction with North Dakota Highway 8, thence along North Dakota Highway 8 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to the North Dakota-South Dakota State line;

(l) between points in that part of Indiana on and south of a line beginning at the Indiana-Michigan State line, thence along Indiana Highway 15 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with Indiana Highway 19, thence along Indiana Highway 19 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 35, thence along U.S. Highway 35 to its junction with Indiana Highway 10, thence along Indiana Highway 10 to the Indiana-Illinois State line, on the one hand, and, on the other, points in that part of Montana on and west of a line beginning at the U.S.-Canada International Boundary line, thence along Montana Highway 232 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Montana Highway 236, thence along Montana Highway 236 to its junction with U.S. Highway 191, thence along U.S. Highway 191 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with Montana Highway 3,

thence along Montana Highway 3 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 310, thence along U.S. Highway 310 to the Montana-Wyoming State line.

(m) Between points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Ohio State line, thence along Pennsylvania Highway 68 to its junction with Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to its junction with U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in that part of North Dakota on and west of a line beginning at the U.S.-Canada International Boundary line, thence along U.S. Highway 52 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 1804, thence along North Dakota Highway 1804 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 11, thence along North Dakota Highway 11 to its junction with North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line; (n) between points in that part of North Dakota on and west of North Dakota Highway 1, on the one hand, and, on the other, points in that part of Pennsylvania on and south of a line beginning at the Pennsylvania-West Virginia State line, thence along U.S. Highway 119 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Pennsylvania Highway 281, thence along Pennsylvania Highway 281 to its junction with Interstate Highway 76, thence along Interstate Highway 76 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to the Pennsylvania-New Jersey State line.

(o) Between points in that part of Ohio on and south of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 36 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to its junction with Ohio Highway 47, thence along Ohio Highway 47 to its junction with Ohio Highway 31, thence along Ohio Highway 31 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Ohio Highway 3, thence along Ohio Highway 3 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in that part of South Dakota on and south of a line beginning at the South Dakota-North Dakota State line, thence along South Dakota Highway 45 to its junction with South Dakota Highway 10, thence along South Dakota Highway 10 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to its junction with U.S. Highway 12, thence along U.S.

Highway 12 to its junction with South Dakota Highway 37, thence along South Dakota Highway 37 to its junction with South Dakota Highway 20, thence along South Dakota Highway 20 to its junction with Interstate Highway 29, thence along Interstate Highway 29 to its junction with U.S. Highway 14, thence along U.S. Highway 14 to the South Dakota-Minnesota State line.

(p) Between points in that part of North Dakota on and west of a line beginning at the U.S.-Canada International Boundary line, thence along U.S. Highway 52 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 1804, thence along North Dakota Highway 1804 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with North Dakota Highway 11, thence along North Dakota Highway 11 to its junction with North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in that part of Ohio on and south of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 36 to its junction with Ohio Highway 3, thence along Ohio Highway 3 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Ohio Highway 151, thence along Ohio Highway 151 to its junction with Ohio Highway 212, thence along Ohio Highway 212 to its junction with Ohio Highway 164, thence along Ohio Highway 164 to its junction with Ohio Highway 39, thence along Ohio Highway 39 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Ohio Highway 39, thence along Ohio Highway 39 to the Ohio-Pennsylvania State line, restricted against the transportation of iron and steel and iron and steel articles, but not mining or contractors' machinery and equipment, originating at points in Indiana which are within the Chicago, Ill., commercial zone, as defined by the Commission. The purpose of this filing is to eliminate the gateways of points in Illinois and Kansas.

No. MC 95540 (Sub-No. E812), filed November 11, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned Goods*, from South Edmeston, N.Y., to those points in Arkansas on and south of a line beginning at the Arkansas-Missouri State line and extending along U. S. Highway 25, to its junction with U. S. Highway 67, thence along U. S. Highway 67 to its junction with U. S. Highway 63, thence along U. S. Highway 63 to its junction with U. S. Highway 62, thence along U. S. Highway 62 to its junction with Arkansas Highway 201, thence along Arkansas Highway 201 to the Arkansas-Missouri State line. Restricted to the transportation of traffic destined to points in the named destination State. The purpose of this

filing is to eliminate the gateway of Griffin, Ga.

No. MC 95540 (Sub-No. E819), filed December 5, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen potato products*, from Caribou, Maine, to points in Washington, Oregon, Idaho, Nevada, Utah, Wyoming, Colorado, and those points in Montana on and west of a line beginning at the Montana-Wyoming State line and extending along U.S. Highway 87 to its junction with U.S. Highway 2, thence along U. S. Highway 2 to its junction with Montana Highway 233, thence along Montana Highway 233 to the U.S.-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of Dyersburg, Tenn.

No. MC 95540 (Sub-No. E823), filed December 1, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, dessert puddings, and salads*, in vehicles equipped with mechanical refrigeration, from La Fargeville, Arkport, and Binghamton, N.Y., to those points in Arkansas on and south of a line beginning at the Arkansas-Tennessee State line and extending along U.S. Highway 82 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to its junction with U.S. Highway 270, thence along U.S. Highway 270 to its junction with U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC 95540 (Sub-No. E824), filed December 1, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, in vehicles equipped with mechanical refrigeration, from Binghamton, N.Y., to points in Texas. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC 95540 (Sub-No. E825), filed December 1, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, from La Fargeville and Arkport, N.Y., to those points in Texas on and south of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 183 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 70, thence along U.S. Highway

70 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC 95540 (Sub-No. E826), filed December 1, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, and meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from South Edmeston, N.Y., to points in Alabama. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E828), filed November 29, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61, M.C.C. 209, and 766 (except hides and commodities in bulk), from Eau Claire, Wis., to those points in Georgia on and south of a line beginning at the Georgia-Florida State line and extending along Georgia Highway 91 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with Georgia Highway 257, thence along U.S. Highway 257 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to its junction with Georgia Highway 22, thence along Georgia Highway 22 to its junction with Georgia Highway 16, thence along Georgia Highway 16 to its junction with U.S. Highway 78, thence along U.S. Highway 78 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of Orangeburg, S.C.

No. MC 107515 (Sub No. E121), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Prattville, N.Y., to points in Missouri and that part of Indiana on and south of a line beginning at the Indiana-Ohio State line, thence along Indiana Highway 46 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Illinois-Indiana State line, that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 101, thence along Illinois Highway 101 to junction Illinois Highway 94, thence along Illinois Highway 94 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Mississippi River, and

that part of Iowa on and south of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 218 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of the plant site of Food Specialties of Kentucky, at Jefferson County, Ky.

No. MC 107515 (Sub-No. E209), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides), from Dalhart, Tex., to points in Pennsylvania, Virginia, West Virginia, that part of Indiana on and east of a line beginning at the Michigan-Indiana State line, thence along Indiana Highway 327 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Indiana Highway 9, thence along Indiana Highway 9 to junction Indiana Highway 46, thence along Indiana Highway 46 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 68, thence along Indiana Highway 68 to junction Interstate Highway 64, thence along Interstate Highway 64 to the Indiana-Illinois State line, and that part of Michigan on and east of a line beginning at the Michigan-Indiana State line, thence along Interstate Highway 69 to junction Michigan Highway 50, thence along Michigan Highway 50 to junction Michigan Highway 99, thence along Michigan Highway 99 to junction Interstate Highway 96, thence along Interstate Highway 96 to junction Michigan Highway 52, thence along Michigan Highway 52 to junction Michigan Highway 46, thence along Michigan Highway 46 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 23, thence along U.S. Highway 23 to Lake Huron, restricted against the transportation of traffic originating at Nashville, Tenn.

(2) *Meats, meat products, and meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Galveston, Tex., to points in Indiana, Michigan, Pennsylvania, Virginia, West Virginia and that part of Illinois on and east of a line beginning at Illinois-Kentucky State line, thence along U.S. Highway 45

to junction Illinois Highway 15, thence along Illinois Highway 15 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 9, thence along Illinois Highway 9 to the Illinois-Iowa State line, that part of Iowa on and east of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 76 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Iowa Highway B6, thence along Iowa Highway B6 to junction Iowa Highway 38, thence along Iowa Highway 38 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Iowa Highway 99, thence along Iowa Highway 99 to the Mississippi River, that part of Wisconsin on and east of a line beginning at the Minnesota-Wisconsin State line, thence along Wisconsin Highway 54 to junction Wisconsin Highway 35, thence along Wisconsin Highway 35 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 53, thence along U.S. Highway 53 to the Wisconsin-Minnesota State line, restricted against the transportation of traffic originating at Nashville, Tenn.

(3) *Meats, meat products, and meat by-products and articles*, distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), (a) from Hereford, the plant site of Missouri Beef Packers, Inc., at Friona, and Plainview, Tex., to points in Pennsylvania, West Virginia, Virginia, points in the Lower Peninsula of Michigan, and that part of Indiana on and east of a line beginning at the Illinois-Indiana State line, thence along Indiana Highway 64 to junction Indiana Highway 57, thence along Indiana Highway 57 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 20, thence along U.S. Highway 20 to Lake Michigan, and (b) from Amarillo, Tex., to points in Pennsylvania, Ohio, West Virginia, Virginia, the Lower Peninsula of Michigan, (except St. Joseph, Mich.), and that part of Michigan on and east of a line beginning at the Illinois-Indiana State line, thence along Indiana Highway 64 to junction Indiana Highway 57, thence along Indiana Highway 57 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction U.S. Highway 35, thence along Indiana Highway 35 to junction U.S. Highway 20,

thence along U.S. Highway 20 to Lake Michigan.

(4) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 16 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from San Antonio, Tex., to points in Indiana, Michigan, Pennsylvania, West Virginia, that part of Illinois on and east of a line beginning at the Illinois-Kentucky State line, thence along U.S. Highway 45 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Illinois Highway 84, thence along Illinois Highway 84 to the Illinois-Wisconsin State line, that part of Iowa on and east of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 67 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Illinois-Iowa State line, and that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along Wisconsin Highway 84 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction U.S. Highway 8, thence along U.S. Highway 8 to Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 169, thence along Wisconsin Highway 169 to the Wisconsin-Michigan State line, restricted against the transportation of shipments originating at Nashville, Tenn.

(6) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), and vehicles equipped with mechanical refrigeration, from Austin and Luling, Tex., to points in Indiana, Michigan, Pennsylvania, Virginia, West Virginia, that part of Iowa on and east of a line beginning at the Illinois-Kentucky State line,

thence along U.S. Highway 641 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Illinois Highway 78, thence along Illinois Highway 78 to the Illinois-Wisconsin State line, in that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along Wisconsin Highway 78 to junction Wisconsin Highway 11, thence along Wisconsin Highway 11 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 82, thence along Wisconsin Highway 82 to junction Wisconsin Highway 63, thence along Wisconsin Highway 63 to Lake Superior, restricted against the transportation of traffic originating at Nashville, Tenn.: (7) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from San Angelo, Tex., to points in Indiana, Michigan, West Virginia, Virginia, Pennsylvania, that part of Wisconsin on and east of U.S. Highway 51, and that part of Illinois on and east of U.S. Highway 51, restricted against the transportation originating at Nashville, Tenn.

(5) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from San Benito, Tex., to points in Indiana, Michigan, Pennsylvania, Virginia, West Virginia, and that part of Illinois on and east of a line beginning at the Illinois-Kentucky State line, thence along U.S. Highway 45 to junction Illinois Highway 15, thence along Illinois Highway 15 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 9, thence along Illinois Highway 9 to the Illinois-Iowa State line, that part of Iowa on and east of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 76 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Iowa Highway B6, thence along Iowa Highway B6 to junction Iowa Highway 38, thence along Iowa Highway 38 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Iowa Highway 99, thence along Iowa Highway 99 to the Illinois-Iowa State line, in that part of Wisconsin on and east of a line beginning at the Minnesota-Wisconsin State line, thence along Wisconsin Highway 54 to junction Wisconsin Highway 35, thence along Wisconsin Highway 35

to junction U.S. Highway 63, thence along Wisconsin Highway 63 to junction U.S. Highway 53, thence along U.S. Highway 53 to the Wisconsin-Minnesota State line, restricted against the transportation of traffic originating at Nashville, Tenn.

(8) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Abilene, Tex., to points in Pennsylvania, Virginia, West Virginia, Indiana, the Lower Peninsula of Michigan, that part of Wisconsin on and east of a line beginning at the Wisconsin-Michigan State line, thence along U.S. Highway 45 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 49, thence along Wisconsin Highway 49 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction Wisconsin Highway 59, thence along Wisconsin Highway 59 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line, in that part of Illinois on and east of a line beginning at the Wisconsin-Illinois State line, thence along U.S. Highway 51 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 1, thence along Illinois Highway 1 to the Illinois-Kentucky State line, restricted against the transportation of traffic originating at Nashville, Tenn.

(9) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Dallas and Ft. Worth, Tex., to points in Pennsylvania, West Virginia, Virginia, the Lower Peninsula of Michigan, Indiana, and points in that part of Illinois on and east of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 14 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 1, thence along Illinois Highway 1 to the Kentucky-Illinois State line, and that part of Wisconsin on and east of a line beginning at the Michigan-Wisconsin State line, thence along U.S. Highway 45 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to junction Wisconsin Highway 175, thence along Wisconsin Highway 175 to junction Wisconsin Highway 83, thence along Wisconsin Highway 83 to junction Wisconsin Highway 11, thence along Wis-

consin Highway 11 to junction Wisconsin Highway 67, thence along Wisconsin Highway 67 to junction U.S. Highway 14, thence along U.S. Highway 14 to the Wisconsin-Illinois State line, restricted against the transportation of traffic originating at Nashville, Tenn.

(10) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Houston, Tex., and the plant site of Armour & Co., near Houston, Tex., to points in Michigan, Indiana, Pennsylvania, Virginia, West Virginia, and points in that part of Illinois on and east of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 64 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction Illinois Highway 15, thence along Illinois Highway 15 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 32, thence along Illinois Highway 32 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 121, thence along Illinois Highway 121 to junction Illinois Highway 88, thence along Illinois Highway 88 to junction Illinois Highway 77, thence along Illinois Highway 77 to junction Illinois Highway 64, thence along Illinois Highway 64 to junction Illinois Highway 84, thence along Illinois Highway 84 to the Illinois-Wisconsin State line, and that part of Wisconsin on and east of a line beginning at the Wisconsin-Iowa State line, thence along Wisconsin Highway 82 to junction Wisconsin Highway 35, thence along Wisconsin Highway 35 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction Wisconsin Highway 70, thence along Wisconsin Highway 70 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Lake Superior, restricted against the transportation of traffic originating at Nashville, Tenn.

(11) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Paris, Tex., to points in the Lower Peninsula of Michigan, Indiana, Pennsylvania, Virginia, West Virginia, and points in that part of Illinois on and east of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 64 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction Illinois Highway 133, thence along Illinois Highway 133 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Illinois Highway 47, thence

along Illinois Highway 47 to the Illinois-Wisconsin State line, and that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along Wisconsin Highway 140 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Wisconsin Highway 89, thence along Wisconsin Highway 89 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Wisconsin Highway 60, thence along Wisconsin Highway 60 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction Wisconsin Highway 49, thence along Wisconsin Highway 49 to junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Michigan-Wisconsin State line, restricted against the transportation of traffic originating at Nashville, Tenn.

(12) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Mt. Pleasant, Tex., to points in Indiana, Michigan, West Virginia, Virginia, Pennsylvania, in that part of Illinois on and east of a line beginning at the Illinois-Kentucky State line, thence along Illinois Highway 13 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, in that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 51 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Lake Superior; (except Ashland), restricted against the transportation of traffic originating at Nashville, Tenn.

(13) *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Mt. Pleasant, Tex., to points in Indiana, Michigan, West Virginia, Virginia, Pennsylvania, that part of Illinois on and east of a line beginning at the Illinois-Kentucky State line, thence along Illinois Highway 13 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 130, thence along Illinois Highway 130 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction of U.S. Highway

45, thence along U.S. Highway 45 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 74 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, in that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 51 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Lake Superior (except Ashland), restricted against the transportation of traffic originating at Nashville, Tenn. The purpose of this filing is to eliminate the gateway of Odom's Sausage Co., at Madison, Tenn.

No. MC 107515 (Sub-No. E314), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, and frozen meat products*, from the plant site of Iowa Beef Packers at or near Emporia, Kans., to the District of Columbia and points in that part of Maryland on and east of Interstate Highway 95, that part of Virginia on and east of a line beginning at the North Carolina-Virginia State line, thence along U.S. Highway 29 to junction U.S. Highway 211, thence along U.S. Highway 29/211 to the Virginia-District of Columbia Border line, that part of Delaware on and south of Interstate Highway 95, that part of New Jersey on and south of U.S. Highway 1, that part of New York on and south of U.S. Highway 1, that part of Connecticut on and east of a line beginning at the New York-Connecticut State line, thence along U.S. Highway 1 to junction Interstate Highway 91, thence along Interstate Highway 91 to the Connecticut-Massachusetts State line, and that part of Massachusetts on and east of Interstate Highway 91. The purpose of this filing is to eliminate the gateway of Rocky Mount, N.C.

No. MC 107515 (Sub-No. E264), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Cook, Will, Lake, and DuPage Counties, Ill., and Lake County, Ind., to points in that part of Arkansas on and south of a line beginning at the Arkansas-Mississippi State line, thence along U.S. Highway 49 to junction Arkansas Highway 1, thence along Arkansas Highway 1 to junction

Arkansas Highway 54, thence along Arkansas Highway 54 to junction Arkansas Highway 83, thence along Arkansas Highway 83 to junction Arkansas Highway 4, thence along Arkansas Highway 4 to junction U.S. Highway 79, thence along U.S. Highway 79 to the Arkansas-Louisiana State line, and that part of Texas on and south of a line beginning at the Louisiana-Texas State line, thence along Interstate Highway 20 to junction Interstate Highway 635, thence along Interstate Highway 635 to junction U.S. Highway 175, thence along U.S. Highway 175 to Seagoville, thence along an unnumbered county highway to junction Interstate Highway 45, thence along Interstate Highway 45 to junction Texas Highway 93, thence along Texas Highway 93 to junction Texas Highway 813, thence along Texas Highway 813 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Texas Highway 171, thence along Texas Highway 171 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-New Mexico State line, restricted against the transportation of shipments destined to points in Florida. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 107515 (Sub-No. E402), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from points in that part of Illinois on and north of U.S. Highway 136, to the District of Columbia, and to points in Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, New Jersey, New York, and that part of Pennsylvania on and north of a line beginning at the Pennsylvania-West Virginia State line, thence along Interstate Highway 70 to junction U.S. Highway 119, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line, (2) from points in that part of Illinois on and north of Interstate Highway 80 to points in West Virginia, (3) from points in that part of Illinois on and north of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 50 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 13, thence along U.S. Highway 13 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 3, thence along Illinois Highway 3 to junction Illinois Highway 51, thence along Illinois Highway 51 to the Illinois-Missouri State line, to the District of Columbia and to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Maryland, and Delaware. The purpose of this filing is to eliminate the gateway of Mendon, Mich.

No. MC 107515 (Sub-No. E404), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P. O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Detroit, Suttons Bay, Iona, Hart, and Ludington, Mich., to points in that part of South Carolina on and east of a line beginning at the Atlantic Ocean, thence along U.S. Highway 52 to junction U.S. Highway 521, thence along U.S. Highway 521 to the South Carolina-North Carolina State line, and that part of North Carolina on and east of North Carolina Highway 49. The purpose of this filing is to eliminate the gateways of (1) Detroit, Mich., and (2) Columbus, Ohio.

No. MC 107515 (Sub-No. E420), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, from Augusta, Ga., to points in Minnesota, Iowa, Wisconsin, that part of Missouri on and north of a line beginning at the Missouri-Oklahoma State line, thence along U.S. Highway 60 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Interstate Highway 44, thence along Interstate Highway 44 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction Missouri Highway 32, thence along Missouri Highway 32 to the Missouri-Illinois State line, that part of Indiana on and west of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 74 to junction Indiana Highway 63, thence along Indiana Highway 63 to Terre Haute, thence along Interstate Highway 70 to the Indiana-Illinois State line, and that part of Illinois on, north, and west of a line beginning at the Mississippi River, thence along Illinois Highway 150 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Indiana State line, thence northerly along the Illinois-Indiana State line to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 12/20, thence along U.S. Highway 12/20 to junction Illinois Highway 50, thence along Illinois Highway 50 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Illinois Highway 140, thence along Illinois Highway 140 to Lake Michigan. The purpose of this filing is to eliminate the gateways of (1) Columbus, Ga., and (2) the plant site of Odom's Sausage Co., at Madison, Tenn.

No. MC 113843 (Sub-No. E911) (Correction), filed June 4, 1974, published in

the FEDERAL REGISTER October 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shells (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Moosic, Penn., to points in that part of New York on, south, and west of a line beginning at Lake Erie and extending along New York Highway 17 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira, New York. The purpose of this correction is to clarify the territorial description.

No. MC 114211 (Sub-No. E337), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Farm machinery and parts thereof*, restricted against the transportation of commodities which, because of size or weight, require the use of special equipment, except where such transportation is performed on ordinary vehicular equipment, and special equipment is provided for loading and unloading and the loading and unloading is performed by the consignor or the consignee, or both, and (B) *Self propelled farm machinery*, each article weighing 15,000 pounds or more, and *related farm machinery* and parts thereof, moving in connection therewith, restricted to the transportation of commodities on trailers, between points in Wyoming, on the one hand, and, on the other, points in that part of Missouri on and east of a line beginning at the Iowa-Missouri State line thence along U.S. Highway 63 to junction Missouri Highway 17, thence along Missouri Highway 17 to the Missouri-Arkansas State line. The purpose of this filing is to eliminate the gateways of Council Bluffs, Iowa and Omaha, Nebr.

No. MC 115331 (Sub-No. E9), (Correction), filed May 6, 1974, published in the FEDERAL REGISTER November 27, 1974. Applicant: TRUCK TRANSPORT INCORPORATED, 230 Saint Clair Avenue, East St. Louis, Illinois 62201. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products* as defined as chemicals, in bulk, in dump vehicles, from points in Ste. Genevieve and St. Francois Counties, Mo., to points in Iowa, Kansas, Ohio, Oklahoma, Minnesota, Wisconsin, South Dakota, Michigan, Nebraska, Colorado, Montana, North Dakota, and Wyoming. The purpose of this filing is to eliminate the gateways of Chicago and East St. Louis, Ill., Davenport, Iowa, and Hannibal and Kansas City, Mo. The purpose of this correction is to clarify the origin points in Missouri.

No. MC 115603 (Sub-No. E31), filed May 30, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and machinery, materials, equipment, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof*; (a) between points in that part of Missouri on and north of a line beginning at the Missouri-Illinois State line and extending along U.S. Highway 50 to its junction with Missouri Highway 5, thence along Missouri Highway 5 to its junction with Missouri Highway 52, thence along Missouri Highway 52 to the Missouri-Kansas State line, on the one hand, and, on the other, points in that part of Arkansas on and east of a line beginning at the Arkansas-Louisiana State line and extending along Arkansas Highway 29 to its junction with Arkansas Highway 4, thence along Arkansas Highway 4 to its junction with Arkansas Highway 27, thence along Arkansas Highway 27 to its junction with U.S. Highway 270, thence along U.S. Highway 270 to unnumbered highway 5 miles west of Pencil Bluff, thence along unnumbered highway to its junction with Arkansas Highway 28, thence along Arkansas Highway 28 to Gravelly, thence along unnumbered highway to its junction with Arkansas Highway 80, thence along Arkansas Highway 80 to its junction with unnumbered highway 6 miles west of Olio, thence along unnumbered highway to its junction with Arkansas Highway 23, thence along Arkansas Highway 23 to Cass, thence along unnumbered highway to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the Arkansas-Oklahoma State line.

(b) Between points in that part of Missouri on and west of a line beginning at the Missouri-Oklahoma State line and extending along Interstate Highway 44 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Missouri Highway 291, thence along Missouri Highway 291 to its junction with U.S. Highway 169, thence along U.S. Highway 169 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Missouri Highway 148, thence along Missouri Highway 148 to the Missouri-Iowa State line, on the one hand, and, on the other, points in Arkansas; (c) between points in that part of Missouri on and west of a line beginning at the Missouri-Oklahoma State line and extending along Interstate Highway 44 to its junction with U.S. Highway BYP 50, thence along U.S. Highway BYP 50, to the Missouri-Illinois

State line, on the one hand, and, on the other, points in that part of Arkansas on and west of a line beginning at the Arkansas-Louisiana State line and extending along U.S. Highway 71 to its junction with Interstate Highway 40, thence along Interstate Highway 40 to the Arkansas-Oklahoma State line; and (d) between points in Missouri, on the one hand, and, on the other, points in that part of Arkansas on and west of a line beginning at the Arkansas-Oklahoma State line and extending along Arkansas Highway 96 to Island, thence along a straight line to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Arkansas Highway 282, thence along Arkansas Highway 282 to its junction with Arkansas Highway 348, thence along Arkansas Highway 348 to its junction with Arkansas Highway 59, thence along Arkansas Highway 59 to its junction with Arkansas Highway 220, thence along Arkansas Highway 220 to the Arkansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC 115603 (Sub-No. E38), filed May 30, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipelines, between points in that part of North Dakota on and west of a line beginning at the United States-Canada International Boundary line and extending along North Dakota Highway 30 to Lehr, thence along unnumbered highway to Ashley, and thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in that part of Arkansas on and south of a line beginning at the Arkansas-Oklahoma State line and extending along U.S. Highway 62 to Prairie Grove, thence along unnumbered highway to its junction at West Fork with U.S. Highway 71, thence along U.S. Highway 71 to its junction with unnumbered highway, thence along unnumbered highway through Winfrey to junction with Arkansas Highway 16, thence along Arkansas Highway 16 to its junction with unnumbered highway at Pettigrew, thence along unnumbered highway through Yale to its junction with Arkansas Highway 103, thence along Arkansas Highway 103 to its junction with Interstate Highway 40, thence

along Interstate Highway 40 to its junction with U.S. Highway 64, thence along U.S. Highway 64 to the Arkansas-Tennessee State line. The purpose of this filing is to eliminate the gateways of points in Texas and Oklahoma.

No. MC 115603 (Sub-No. E32), filed May 30, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* used in, or in connection with, discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof (except the stringing or picking up of pipe in connection with main or trunk pipelines); (2) *Machinery, equipment, materials, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; and

(3) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe, incidental to, used in, or in connection with* (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in that part of Missouri on and west of a line beginning at the Missouri-Arkansas State line and extending along Missouri Highway 37 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with Missouri Highway 39, thence along Missouri Highway 39 to its junction with Missouri Highway 123, thence along Missouri Highway 123 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Missouri Highway 83, thence along Missouri Highway 83 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to its junction with Missouri Highway 52, thence along Missouri Highway 52 to its junction with Missouri Highway 127, thence along Missouri Highway 127 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to its junction with Missouri Highway 13, thence along Missouri Highway 13 to its junction with Missouri Highway 20, thence along Missouri Highway

20 to its junction with Missouri Highway 23, thence along Missouri Highway 23 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Missouri Highway 139, thence along Missouri Highway 139 to the Missouri-Iowa State line, on the one hand, and, on the other, points in that part of Mississippi on and south of a line beginning at the Mississippi-Alabama State line, and extending along Mississippi Highway 388 to its junction with U.S. Alternate Highway 45, thence north along U.S. Alternate Highway 45 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to the Mississippi-Arkansas State line. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC 115603 (Sub-No. E33), filed May 30, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between points in Nebraska, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC 115603 (Sub-No. E42), filed May 30, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, between points in Wyoming, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateways of points in Oklahoma and Nebraska.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-30272 Filed 12-26-74; 8:45 am]

[Notice No. 661]

ASSIGNMENT OF HEARINGS

DECEMBER 23, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after December 27, 1974.

MC 138276 Sub 2, J&G Transport LTD., now assigned January 14, 1975 is postponed to February 19, 1975, at Olympia, Washington, in the 6th Floor Conference Room, Washington Utilities and Transportation Commission, Highways Licenses Bldg.

MC-C-8448, Main Line Hauling Co., Inc.—Investigation and Revocation of Certificates, now assigned January 14, 1975 at St. Louis, Mo., will be held in Moot Court Room, St. Louis University Law School, 3642 Lindell Blvd., instead of in Courtroom No. 2, 5th floor, U.S. Courthouse, 1114 Market St.

MC 41406 Sub 38, Artim Transportation System, Inc., now assigned January 16, 1975, at St. Louis, Mo., will be held in Moot Court Room, St. Louis University Law School, 3642 Lindell Blvd., instead of in Courtroom No. 2, 5th floor, U.S. Courthouse, 1114 Market St.

MC 217 Subs 16 & 17, Point Transfer, Inc.; MC 13569 Subs 27 & 30, The Lake Shore Motor Freight Co.; MC 14552 Subs 50 & 53, J. V. McNicholas Transfer Company and MC 138286 Sub 2, John F. Scott Co., Continued to January 13, 1975 (2 weeks), in Room 5812, U.S. Steel Corporation Bldg., 600 Grant St., Pittsburgh, Pa. I&S M No. Increased Rates, September 1974, Alaska Carriers Association, now assigned January 14, 1975 at Anchorage, Alaska will be held at the Alaska Transportation Commission, 10th Floor McKay Bldg. 338 Denali St.

MC 119777 Sub 266, Ligon Specialized Hauler, Inc., now assigned January 20, 1975, at Seattle, Wash. will be held on the 28th Floor, New Federal Bldg. 915 Second Ave.

MC 136564 Sub 1, Shippers Leasing, Inc., now assigned January 23, 1975, at San Francisco, Calif., will be held in Room 13025 450 Golden Gate Ave.

MC 82965 Sub 3, Amador Stage Lines, Inc., now assigned January 27, 1975, at San Francisco, Calif., will be held in Room 13025 450 Golden Gate Ave.

MC-P-12149, Glennon Transports, Inc.—Purchase—J. W. Ward Transfer, Inc., now assigned January 20, 1975, at St. Louis, will be held in Moot Court Room, St. Louis University Law School, 3642 Lindell Blvd., instead of in Courtroom No. 2, 5th floor, U.S. Courthouse, 1114 Market St.

MC 18302 Sub 2, State Moving & Storage, Inc., now being assigned March 17, 1975 (2 weeks), at New York, N.Y., in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-30274 Filed 12-26-74;8:45 am]

[Notice No. 206]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

DECEMBER 27, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 16, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75468. By order of December 13, 1974, the Motor Carrier Board approved the transfer to Northwest Transport, a corporation, Chino, Calif., of the operating rights in Certificate No. MC-136257 issued May 10, 1973, to Joe Edgeworth, doing business as Edgeworth Trucking, Tulare, Calif., authorizing the transportation of expanded plastic articles, from Fullerton, La Mirada, Pico Rivera, Santa Ana, and Torrance, Calif., to points in Arizona, New Mexico, and Nevada. *Dual operations were approved.* Jerry Solomon Berger, 9454 Wilshire Boulevard, Beverly Hills, Calif. 90212, Attorneys for applicants.

No. MC-FC-75471. By order of December 13, 1974, the Motor Carrier Board approved the transfer to Smith's Tank Service Corp., Philadelphia, Pa., of the operating rights in Certificate No. MC-29734 issued May 19, 1971, to Joseph H. Smith and William H. Smith, a partnership, doing business as Joseph H. Smith & Company, Philadelphia, Pa., authorizing the transportation of tallow and inedible animal grease, in tank vehicles, oil, in containers, empty oil containers, tallow, paper boxes, sugar, corn syrup, pineapples and pineapple juice, stationary wash tubs and drain boards, groceries and canned goods, between specified points in New York, New Jersey, Delaware, Pennsylvania, Maryland, and the District of Columbia. Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102, attorney for applicants.

No. MC-FC-75527. By order of December 12, 1974, the Motor Carrier Board approved the transfer to Willett Motor Coach Co., a corporation, Chicago, Ill., of the operating rights in Certificate No. MC-16073 issued April 24, 1942, to Willett Motor Coach Company, a corporation, Chicago, Ill., authorizing the trans-

portation of passenger and their baggage, in charter operations, from Chicago, Ill., and points within 50 miles thereof, to points in Illinois, Indiana, Wisconsin, Michigan, Iowa, Kentucky, Missouri, Pennsylvania, Ohio, Kansas, South Dakota, New Jersey, Maryland, New York, and the District of Columbia. Daniel J. Sweeney, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006, attorney for applicants.

No. MC-FC-75442. By order entered December 11, 1974, the Motor Carrier Board approved the transfer to V D M Van & Storage Company, Inc., Poughkeepsie, N.Y., of the operating rights set forth in Certificate No. MC-70550 (Sub-No. 2), issued March 11, 1952, to James R. Vandemark, doing business as Pioneer Van & Storage, Poughkeepsie, N.Y., authorizing the transportation of household goods, between Wappingers Falls, N.Y., and points within 12 miles of Wappingers Falls, on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. Carl S. Wolfson, 11 Market St., Poughkeepsie, N.Y., attorney for applicants.

No. MC-FC-75553. By order of December 10, 1974 the Motor Carrier Board approved the transfer to Boonton Transport, a corporation, Butler, N.J., of the operating rights in Certificate No. MC-96098 issued September 12, 1958 to James A. Smith & Son, Inc., Newton, N.J., authorizing the transportation of passengers and their baggage, in charter service, and in special operations, from a specified area of New Jersey to specified points and areas in New York, Virginia, Pennsylvania, and the District of Columbia, and return. Edward F. Bowes, 744 Broad St., Newark, N.J. 07102, attorney for applicants.

No. MC-FC-75556. By order entered 12.11.74 the Motor Carrier Board approved the transfer to Red Arrow Trucking Co., Belleville, N.J., of that portion of the operating rights set forth in Certificate No. MC-62512, issued by the Commission November 15, 1949, to J. De Falco Trucking Co., Inc., Newark, N.J., authorizing the transportation of various specified commodities between New York, N.Y., on the one hand, and, on the other, points in Union, Essex, Hudson, Bergen, and Passaic Counties, N.J.; and general commodities, with the usual exceptions, between points in the New York, N.Y. Commercial Zone, on the one hand, and, on the other, points in Bergen, Essex, Ocean, Hudson, Monmouth, Middlesex, Morris, Passaic, Somerset, Union, and Sussex Counties, N.J. A. David Millner, 744 Broad St., Newark, N.J. 07102, and Bernard J. Flynn, York-Flynn Building, East Blackwell St., Dover, N.J. 07801, attorneys for applicants.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-30273 Filed 12-26-74;8:45 am]

REPORT
OF THE
COMMISSIONER
OF THE
IMPERIAL TARIFF
ON TEXTILE
AGREEMENTS

1900-1901

Compiled by the
U.S. Tariff Commission

FRIDAY, DECEMBER 27, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 250

PART II



COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS



TEXTILE AND APPAREL CATEGORIES

Correlation With Tariff Schedules of the
U.S. Annotated

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

TEXTILE AND APPAREL CATEGORIES

Correlation With Tariff Schedules of United States Annotated

There is published below a list of the Tariff Schedules of the United States Annotated numbers specifying changes in the arrangement of the cotton, wool, and man-made fiber categories used by the United States in administering the textile trade agreements program. A full description of the textile and apparel products falling within each of the cotton, wool, and man-made fiber categories may be obtained by using the Tariff

Schedules of the United States Annotated which also provides category placement for the item numbers covered by the program. The list of Tariff Schedules of the United States Annotated numbers published in the FEDERAL REGISTER on January 25, 1974 (39 FR 3430) is hereby amended effective January 1, 1975.

The complete, revised Correlation will appear in the FEDERAL REGISTER in early January 1975.

ALAN POLANSKY,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance.

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS PROGRAM

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
TOWEL, DISH			
30	Dish towels with fringe, ornamented.....	365.7820	365.7815
GLOVES AND MITTENS—OF OTHER FIBER, CONTAINING COTTON			
Ornamented: Made from preexisting machine knit or woven fabric:			
39	Woven.....	704.0570	704.0555
		704.0580	
		704.0590	
	Not woven.....	704.1070	704.1055
		704.1080	
		704.1090	
	Other.....	704.1570	704.1555
		704.1580	
		704.1590	
Not ornamented: Made from preexisting machine knit or woven fabric:			
	Woven.....	704.4070	704.4055
		704.4080	
		704.4090	
	Not woven.....	704.4570	704.4555
		704.4580	
		704.4590	
	Other.....	704.5070	704.5055
		704.5080	
		704.5090	
SWEATERS AND CARDIGANS—WOMEN'S, GIRLS' AND INFANTS'			
44	Of vegetable fiber, containing cotton.....	382.3930	382.3916
		382.3970	
		382.3990	
	Of silk, containing cotton.....	382.6917	382.6912
		382.6953	
		382.6983	
COATS, OTHER, NOT KNIT—OF VEGETABLE FIBER, CONTAINING COTTON			
Men's and boys':			
49	Suit-type coats, including sports coats and jackets.....	380.5110	380.5104
		380.5150	
		380.5185	
	Other separate coats.....	380.5115	380.5108
		380.5155	
		380.5185	
	Women's, girls' and infants'.....	382.4210	382.4206
		382.4255	
		382.4290	
TROUSERS, SLACKS AND SHORTS (OUTER) MEN'S AND BOYS.			
50	Of vegetable fiber, containing cotton.....	380.5135	380.5124
		380.5175	
		380.5185	
TROUSERS, SLACKS AND SHORTS (OUTER) WOMEN'S, GIRLS, AND INFANTS			
51	Of vegetable fiber, containing cotton.....	382.4235	382.4226
		382.4280	
		382.4290	
	Of silk, containing cotton.....	382.7230	382.7218
		382.7265	
		382.7295	
BLOUSES, NOT KNIT			
52	Of vegetable fiber, containing cotton.....	382.4205	382.4204
		382.4250	
		382.4290	
	Of silk, containing cotton.....	382.7205	382.7204
		382.7245	
		382.7275	

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS
SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY
THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS
PROGRAM—Continued

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
DRESSES, NOT KNIT			
59	Of vegetable fiber, containing cotton.....	382.4215	382.4212
		382.4260	
	Of silk, containing cotton.....	382.4290	
		382.7210	382.7208
		382.7250	
		382.7270	
PAJAMAS AND OTHER NIGHTWEAR			
60	Of silk, containing cotton.....	382.7225	382.7214
		382.7257	
		382.2787	
WEARING APPAREL, KNIT, N.E.S.			
Men's and boys':			
Ornamented:			
62	Of other fiber, containing cotton.....	380.0505	380.0501
		380.0515	
		380.0525	
Not ornamented:			
	Of vegetable fiber, containing cotton.....	380.4510	380.4505
		380.4520	
		380.4530	
	Of silk, containing cotton.....	380.7210	380.7206
		380.7220	
		380.7230	
Women's, girls' and infants':			
Ornamented:			
	Of other fiber, containing cotton.....	382.0515	382.0509
		382.0525	
		382.0535	
Not ornamented:			
	Of vegetable fiber, containing cotton:		
	Blouses, waists and shirts.....	382.3905	382.3904
		382.3950	
		382.3990	
	Dresses.....	382.3915	382.3908
		382.3960	
	Skirts.....	382.3990	
		382.3920	382.3912
		382.3965	
		382.3990	
	Trousers, slacks and shorts.....	382.3935	382.3922
		382.3980	
		382.3990	
	Other.....	382.3940	382.3926
		382.3985	
		382.3990	
	Of silk, containing cotton:		
	Blouses, waists, shirts.....	382.6905	382.6904
		382.6945	
		382.6975	
	Dresses.....	382.6910	382.6908
		382.6950	
		382.6977	
	Trousers, slacks and shorts.....	382.6930	382.6916
		382.6965	
		382.6995	
	Other.....	382.6935	382.6922
		382.6967	
		382.6997	
WEARING APPAREL, NOT KNIT, N.E.S.			
Men's and boys':			
Ornamented:			
	Of other fiber, containing cotton.....	380.0545	380.0541
		380.0555	
		380.0565	
Not ornamented:			
	Vest:		
	Valued not over \$2 each.....	380.3300	380.3320
	Valued over \$2 each.....	380.3600	380.3320
	Other:		
	Of vegetable fiber, containing cotton:		
	Shirts.....	380.5125	380.5112
		380.5165	
		380.5185	
Women's, girls' and infants':			
Not ornamented:			
	Vests:		
	Valued not over \$2 each.....	382.2700	382.2730
	Valued over \$2 each.....	382.3000	382.3030
	Other:		
	Of vegetable fiber, containing cotton:		
	Skirts.....	382.4220	382.4216
		382.4265	
		382.4290	
	Suits.....	382.4225	382.4222
		382.4275	
		382.4290	
	Other.....	382.4240	382.4232
		382.4285	
		382.4290	
	Of Silk, containing cotton:		
	Dressing gowns, bathrobes, Etc.....	382.7215	382.7212
		382.7255	
		382.7285	
	Other.....	382.7235	382.2222
		382.7267	
		382.7297	

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS
SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY
THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS
PROGRAM—Continued

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
WEARING APPAREL, NOT KNIT, N.E.S.			
Men's and boys': Not ornamented:			
Of vegetable fiber, containing cotton:			
	Suits.....	380.5130	380.5116
		380.5170	
		380.5185	
	Other.....	380.5145	380.5128
		380.5180	
		380.5185	
	Of silk, containing cotton.....	380.7510	380.7505
		380.7520	
		380.7530	
	Of other fiber, containing cotton.....	380.9010	380.9005
		380.9020	
		380.9030	
Women's, girls' and infants':			
Ornamented:			
	Of other fiber, containing cotton.....	382.0545	382.0554
		382.0555	
		382.0565	
Not ornamented:			
	Of other, containing cotton.....	382.8710	382.8705
		382.8720	
		382.8730	
ALL OTHER COTTON TEXTILES			
Fabrics:			
Knit:			
64	Of vegetable fiber, containing cotton.....	345.1070	345.1065
		345.1080	
		345.1090	
	Of silk, containing cotton.....	345.3510	345.3505
		345.3520	
		345.3530	
Pile:			
	Of vegetable fiber, containing cotton.....	346.5010	346.5005
		346.5020	
		346.5030	
	Of silk, containing cotton.....	346.5610	346.5605
		346.5620	
		346.5630	
Other fabrics:			
Of vegetable fiber, containing cotton:			
Woven.....			
		359.2025	359.2021
		359.2030	
		359.2035	
Knit.....			
		359.2045	359.2041
		359.2050	
		359.2055	
Lace or net sheets and pillowcases:			
	Pillowcases.....	363.0100	363.0120
	Sheets.....		363.0140
	Handmade lace finishings: Valued not over \$50 per pound.....	365.0000	365.0020
	Other net furnishings, other than dish towels.....	365.7830	
Ornamented:			
	Wall hangings.....		365.7825
	Other.....		365.7835
Not ornamented: Other (not knit, not pile or tufted):			
	Plain woven.....	366.7700	366.7730
	Other.....	366.7900	
	Wall hangings.....		366.7925
	Other.....		366.7930
PILE AND TUFTED FABRICS			
109	Of vegetable fiber, containing wool.....	346.5010	346.5015
	Of silk, containing wool.....	346.5610	346.5615
KNIT FABRICS, IN THE PIECE			
110	Of vegetable fiber, containing wool.....	345.1070	345.1075
	Of silk, containing wool.....	345.3510	345.3515
GLOVES AND MITTENS			
Ornamented: Of vegetable fiber, containing wool: Made from pre-existing machine knit or woven fabrics:			
112	Woven.....	704.0570	704.0565
	Knit.....	704.1070	704.1065
	Other.....	704.1570	704.1565
Not ornamented: Of vegetable fiber, containing wool: Made from pre-existing machine knit or woven fabrics:			
	Woven.....	704.4070	704.4065
	Knit.....	704.4570	704.4565
	Other.....	704.5070	704.5065

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS
SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY
THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS
PROGRAM—Continued

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
KNIT WEARING APPAREL, N.E.S., VALUED OVER \$5 PER POUND			
117	Men's and boys': Ornamented: Of other fiber, containing wool.....	380.0505	380.0506
	Not ornamented: Of vegetable fiber, containing wool.....	380.4510	380.4515
	Of silk, containing wool.....	380.7210	380.7215
	Women's, girls' and infants': Ornamented: Of other fiber, containing wool.....	382.0515	382.0518
	Not ornamented: Of vegetable fiber, containing wool: Blouses, waists and shirts.....	382.3905	382.3934
	Dresses.....	382.3915	382.3938
	Sweaters.....	382.3930	382.3946
	Other.....	382.3940	382.3956
	Of silk, containing wool: Blouses, waists and shirts.....	382.6905	382.6924
	Dresses.....	382.6910	382.6928
	Sweaters.....	382.6917	382.6932
	Other.....	382.6935	382.6942
MEN'S AND BOYS' SUITS, NOT KNIT			
120	Of vegetable fiber, containing wool.....	380.5130	380.5146
MEN'S AND BOYS' OUTER COATS, NOT KNIT			
121	Of vegetable fiber, containing cotton: Suit-type coats, including suit-type jackets.....	380.5110	380.5134
	Other separate coats.....	380.5115	380.5138
WOMEN'S, MISSES AND CHILDREN'S COATS AND SUITS			
122	Of vegetable fiber, containing wool: Coats.....	382.4210	382.4238
	Suits.....	382.4225	382.4252
WOMEN'S, MISSES AND CHILDREN'S SEPARATE SKIRTS			
123	Of vegetable fiber, containing wool: Knit.....	382.3920	382.3942
	Not knit.....	382.4220	382.4246
TROUSERS, SLACKS AND SHORTS			
124	Men's and boys': Of vegetable fiber, containing wool.....	380.5135	380.5154
	Women's, girls' and infants': Of vegetable fiber, containing wool: Knit.....	382.3935	382.3952
	Not knit.....	382.4235	382.4256
	Of silk, containing wool: Knit.....	382.6930	382.6936
	Not knit.....	382.7230	382.7238
ARTICLES OF WEARING APPAREL, N.E.S.			
125	Men's and boys': Ornamented: Of vegetable fiber, containing wool.....	380.0545	380.0546
	Not ornamented: Of vegetable fiber, containing wool: Shirts.....	380.5125	380.5142
	Other.....	380.5145	380.5158
	Of silk, containing wool.....	380.7510	380.7515
	Of other fiber, containing wool.....	380.9010	380.9015
	Women's, girls' and infants': Ornamented: Of other fiber, containing wool.....	382.0545	382.0563
	Not ornamented: Of vegetable fiber, containing wool: Blouses, waists and shirts.....	382.4205	382.4234
	Dresses.....	382.4215	382.4242
	Other.....	382.4240	382.4262
	Of silk, containing wool: Blouses, waists and shirts.....	382.7205	382.7224
	Dresses.....	382.7210	382.7228
	Dressing gowns, bathrobes, etc.....	382.7215	382.7232
	Palamas and other nightwear.....	382.7225	382.7234
	Other.....	382.7235	382.7242
	Of other fiber, containing wool.....	382.8710	382.8715
LACE OR NET ARTICLES, INCL. VEILING			
126	Other furnishings, ornamented: Wall hangings.....	365.8540	365.8525
	Other.....		365.8530
MISC. WOOL MANUFACTURES			
128	Textile fabrics: Of vegetable fiber, containing wool: Woven.....	359.2035	359.2026
	Knit.....	359.2045	359.2046
	Other furnishings: Wall hangings.....	367.3000	367.3025
	Other.....		367.3030

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS
SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY
THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS
PROGRAM—Continued

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
TEXTURED YARNS			
Singles:			
Not over \$1 per pound:			
200	Polyamide.....	310.0115	310.0108
	Polyester.....		310.0110
	Other.....		310.0112
Over \$1 per pound:			
	Polyamide.....	310.0215	310.0208
	Polyester.....		310.0210
	Other.....		310.0212
Plied:			
Valued over \$1 per pound:			
	Polyamide.....	310.1115	310.1108
	Polyester.....		310.1110
	Other.....		310.1112
YARN, WHOLLY OF CONTINUOUS FILAMENT, OTHER			
Singles:			
With twist not over 20 turns per inch:			
Not over \$1 per pound: wholly non-cellulosic:			
202	Polyamide.....	310.0145	310.0148
	Polyester.....		310.0150
	Other.....		310.0152
Over \$1 per pound: wholly non-cellulosic:			
	Polyamide.....	310.0245	310.0248
	Polyester.....		310.0250
	Other.....		310.0252
WOVEN FABRICS, OTHER			
Of silk, containing man-made fiber:			
Not jacquard figured:			
210	Not degummed, not bleached or colored.....	337.6005	337.6025
	Degummed, bleached or colored.....	337.7005	337.7025
Jacquard figured:			
	Not degummed, not bleached or colored.....	337.8005	337.8025
	Degummed, bleached or colored.....	337.9005	337.9025
Of other:			
Suitable for making typewriter ribbon cloth:			
	Slit, with fast edges.....	338.3012	338.3014
	Other.....		338.3016
KNIT FABRICS			
211	Of vegetable fiber, containing man-made fiber.....	345.1080	345.1085
	Of silk, containing man-made fiber.....	345.3520	345.3525
PILE AND TUFTED FABRICS			
212	Pile:		
	Of vegetable fiber, containing man-made fiber.....	346.5020	346.5025
	Of silk, containing man-made fiber.....	346.5620	346.5625
SPECIALTY FABRICS			
213	Of vegetable fiber, containing man-made fiber:		
	Woven.....	359.2030	359.2031
	Knit.....	359.2050	359.2051
GLOVES & MITTENS, KNIT			
Ornamented: Of vegetable fiber, containing man-made fiber:			
Made from a pre-existing machine knit or woven fabric:			
214	Woven.....	704.0580	704.0575
	Not woven.....	704.1080	704.1075
	Other.....	704.1580	704.1575
Not ornamented: Of vegetable fiber, containing man-made fiber:			
Made from pre-existing fabric:			
	Woven.....	704.4080	704.4075
	Not woven.....	704.4580	704.4575
	Other.....	704.5080	704.5075
DRESSES, KNIT			
216	Of vegetable fiber, containing man-made fiber.....	382.3960	382.3968
	Of silk, containing man-made fiber.....	382.6950	382.6948
SHIRTS, OTHER (INCL. BLOUSES) KNIT			
219	Of vegetable fiber, containing man-made fiber.....	382.3950	382.3964
	Of silk, containing man-made fiber.....	382.6945	382.6944
SKIRTS, KNIT			
220	Of vegetable fiber, containing man-made fiber.....	382.3965	382.3972
SWEATERS AND CARDIGANS, KNIT			
221	Women's, girls' and infants':		
	Ornamented.....	382.0452	382.0429
	Not ornamented:		
	Of vegetable fiber, containing man-made fiber.....	382.3970	382.3976
	Of silk containing man-made fiber.....	382.6953	382.6952
	Of man-made.....	382.7871	382.7875

LIST OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS
SPECIFYING CHANGES IN THE ARRANGEMENT OF TEXTILE CATEGORIES USED BY
THE UNITED STATES IN ADMINISTERING THE TEXTILE TRADE AGREEMENTS
PROGRAM—Continued

Cat.	Description	Origin ¹ TSUSA	Current ¹ TSUSA
TROUSERS, SLACKS AND SHORTS			
222	Women's, girls' and infants': Ornamented.....	382.0457	382.0454
	Not ornamented: Of vegetable fiber, containing man-made fiber.....	382.3980	382-3982
	Of silk, containing man-made fiber.....	382.6965	382.6966
	Of man-made fiber.....	382.7880	382.7888
OTHER WEARING APPAREL			
224	Men's and boys': Ornamented: of other fiber, containing man-made.....	380.0515	380.0516
	Not ornamented: Of vegetable fiber, containing man-made.....	380.4520	380.4525
	Of silk, containing man-made.....	380.7220	380.7225
	Women's, girls' and infants': Ornamented: Infants' bootie sets.....	382.0452	382.0456
	Other.....	382.0457	382.0458
	Of other fiber, containing man-made.....	382.0459	382.0460
	Not ornamented: Of vegetable fiber, containing man-made.....	382.0625	382.0627
	Of silk, containing man-made.....	382.3985	382.3986
	Of man-made: other: Infants' bootie sets.....	382.6967	382.6962
	Other.....	382.7871	382.7890
		382.7880	382.7895
		382.7891	
BLOUSES, NOT KNIT			
228	Not ornamented: Of vegetable fiber, containing man-made.....	382.4250	382.4264
	Of silk, containing man-made.....	382.7245	382.7244
COATS, NOT KNIT			
229	Not ornamented: Men's and boys': Of vegetable fiber, containing man-made: Suit-type coats, incl. suit-type jackets.....	380.5150	380.5164
	Other separate coats.....	380.5155	380.5163
	Women's, girls' & infants': Of vegetable fiber containing man-made.....	382.4255	382.4268
DRESSES, NOT KNIT			
230	Not ornamented: Of vegetable fiber, containing man-made.....	382.4260	382.4272
	Of silk, containing man-made.....	382.7250	382.7245
DRESSING GOWNS, INCL. BATHROBES, BEACHROBES			
231	Women's, girls' & infants': Not ornamented: Of silk, containing man-made.....	382.7255	382.7252
PAJAMAS AND OTHER NIGHTWEAR			
232	Women's, girls' and infants': Not ornamented: Of silk, containing man-made.....	382.7257	382.7254
SHIRTS, OTHER, NOT KNIT			
236	Not ornamented: Of vegetable fiber, containing man-made.....	380.5165	380.5172
SKIRTS, NOT KNIT			
238	Not ornamented: Of vegetable fiber, containing man-made.....	382.4265	382.4276
SUITS, NOT KNIT			
237	Not ornamented: Of vegetable fiber containing man-made: Men's and boys'.....	380.5170	380.5176
	Women's, girls' and infants'.....	382.4275	382.4282
TROUSERS, SLACKS, & SHORTS			
238	Mens and boys': Not ornamented: Of vegetable fiber, containing man-made.....	380.5175	380.5184
	Women's, girls' and infants': not ornamented: Of vegetable fiber, containing man-made.....	382.4280	382.4286
	Of silk, containing man-made.....	382.7265	382.7258
OTHER WEARING APPAREL, NOT KNIT			
240	Men's and boys': Ornamented: Of silk, containing man-made.....	380.0555	380.0556
	Not ornamented: Of vegetable fiber, containing man-made.....	380.5180	380.5188
	Of silk, containing man-made.....	380.7250	380.7255
	Of other fiber, containing man-made.....	380.9020	380.9025
	Women's, girls' and infants': Ornamented: Of other fiber, containing man-made.....	382.0555	382.0572
	Not ornamented: Of vegetable fiber, containing man-made.....	382.4285	382.4292
	Of silk, containing man-made.....	382.7267	382.7262
	Of other fiber, containing man-made.....	382.8720	382.8725
OTHER FURNISHINGS			
242	Lace or net bedding: Ornamented: Blankets.....	363.2560	363.2562
	Bedspreads.....		363.2564
	Other.....		363.2566
	Other furnishings, made on a lace, net or knitting machine: Ornamented: Wall hangings.....	365.8560	365.8565
	Other.....		365.8580
	Not ornamented: Other: Wall hangings.....	367.6000	367.6025
	Other.....		367.6034

¹ Origin of TSUSA numbers transferred in part or whole to current TSUSA numbers.

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PART III



DEPARTMENT OF LABOR

Employment Standards
Administration



MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions,
Modifications and Supersedeas
Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND
FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum

paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payment since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISIONS

New Mexico..... AR-1061
Oklahoma..... AR-93

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication

in the FEDERAL REGISTER are listed with each State:

Illinois:
AR-3055 Aug. 2, 1974
Indiana:
AR-3081 Aug. 13, 1974
AR-3080; AR-3084; AR-3087; AR-3088; AR-3089; AR-3093..... Aug. 23, 1974
Kentucky:
AR-4054 Nov. 8, 1974
Minnesota:
AR-3053 July 12, 1974
Mississippi:
AR-4041 Sept. 27, 1974
Nebraska:
AR-77 Nov. 15, 1974
New York:
AQ-2112 May 3, 1974
Oklahoma:
AR-50 Sept. 22, 1974
AR-81 Nov. 22, 1974
Oregon:
AR-1054 Dec. 13, 1974
Pennsylvania:
AQ-2070 Mar. 15, 1974
AQ-2085 Apr. 19, 1974
AQ-2121 May 24, 1974
AR-2008 July 26, 1974
AR-2027; AR-2030; AR-2037; AR-2038..... Aug. 30, 1974
AR-2036 Sept. 20, 1974
AR-2045; AR-2046..... Oct. 18, 1974
AR-2035 Nov. 15, 1974
Washington:
AR-1051 Dec. 6, 1974
West Virginia:
AR-2058 Oct. 4, 1974

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded:

Arizona:
AQ-1086 (AR-1060) Feb. 22, 1974
Florida:
AQ-4067 (AR-4068) Feb. 8, 1974
Georgia:
AQ-2039 (AR-2100) Jan. 25, 1974
Maryland:
AQ-2039 (AR-2100) Do.
Nebraska:
AR-13 (AR-94) Aug. 16, 1974
AR-87 (AR-92) Dec. 13, 1974
New York:
AQ-2107 (AR-2101) Apr. 26, 1974
AR-2020 (AR-2097) Aug. 16, 1974
North Carolina:
AQ-2039 (AR-2100) Jan. 25, 1974
Pennsylvania:
AQ-2042 (AR-2099) Feb. 8, 1974
AQ-2123 (AR-2098) May 31, 1974
South Carolina:
AQ-2039 (AR-2100) Jan. 25, 1974
Texas:
AR-86 (AR-91) Dec. 13, 1974
Virginia:
AQ-2039 (AR-2100) Jan. 25, 1974
Washington, D.C.:
AQ-2039 (AR-2100) Do.

Signed at Washington, D.C. this 20th day of December 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

AR-1061 P. 2

NEW DECISION

STATE: New Mexico
 COUNTY: San Juan and McKinley
 (Navajo Indian Reservation Only)
 DECISION NUMBER: AR-1061
 DATE: Date of Publication
 DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation	App. Tr.	
Asbestos Workers					
Bricklayers	.50	.72		.03	
Carpenters: Dwelling houses and apartments not to exceed 2 stories	.38	.40		.02	
Carpenters	.47	.45		.12	
Dwelling houses and apartments over 2 stories	.47	.45		.12	
Cement Masons: Dwelling houses and apartments not to exceed 2 stories	.38	.20			
Cement Masons	.38	.20			
Dwelling houses and apartments over 2 stories	.25	1%		.01	
Cable Splicers	.25	1%		.01	
Electricians: Dwelling houses and apartments not to exceed 2 stories	.26	.20			
Laborers, unskilled					
Dwelling houses and apartments over 2 stories	.26	.20			
Laborers, unskilled	.30	.20		.01	
Painters, brush; Roller					
Plasterers	.38	.20			.06
Plumbers	.42	.75			.09
Roofers	5.70				
Sheet Metal Workers	.31	.25			.02
Soft Floor Layers	.30				.02
Truck Drivers: Dwelling houses and apartments not to exceed 2 stories	.38	.15			
Pickup 3/4 ton and under					
Dwelling houses and apartments over 2 stories	.38	.15			
Pickup 3/4 tons and under					
Power Equipment Operators: Tractor, under 50 HP (w/o attachments)	.25	.20			.06
Air Compressor (300 CFM and over)	.25	.20			.06
Motor Graders	.25	.20			.06
Backhoes	.25	.20			.06

NEW DECISION

STATE: Oklahoma
 DECISION NO.: AR-93

COUNTY: Wagoner

DATE: Date of Publication
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

DECISION NO. AR-93

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS	\$8.65	.35	.35			.015
BOILERMAKERS	7.80	.30	.76			.03
BRICKLAYERS	7.48	.30	.40			.04
CARPENTERS:						
Carpenters	7.35					.01
Millwrights-Piledrivers	7.85					.01
CEMENT MASONS:						
Zone I - That portion of Wagoner County on a diagonal line from the northeast corner of Okmulgee to the Southeast corner of Mayes	7.47		.40			.06
Zone II - Remainder of Wagoner Co.	7.05					
ELECTRICIANS:						
Zone I						
Electricians	7.93	.30	1%			1/2%
Cable splicers	8.53	.30	1%			1/2%
Zone II						
Electricians	8.23	.30	1%			1/2%
Cable splicers	8.63	.30	1%			1/2%
Zone III						
Electricians	7.65	.36	12+.25	.30		.07
Cable splicers	7.90	.36	12+.25	.30		.07
ELECTRICIANS-CABLE SPlicERS ZONE DEFINITION						
Blue Mount, Coveta, Gatesville, Shannon, Tullahasse, Porter and Stone Bluff Townships						
Zone I - A 20 mile radius from the Post Office in Muskogee						
Zone II - That area outside zone I						
Zone III - Adams Creek, Lone Star and Shahan Townships Only						
GLAZIERS						
IRONWORKERS						
LABORERS:						
Group I - Construction laborers	7.00	.40	.30			.01
Group II - Mason tenders, mortar mixers, sewer drain; tile layers; machine tool operators	8.34	.30	.35			.08
Group III - Powderman (make-up); wagon drill operator	4.80	.25	.20			
	5.10	.25	.20			
	5.30	.25	.20			
LINE CONSTRUCTION:						
Linemen	\$8.00					1/2%
Cable splicers	8.48		1%			1/2%
Hole digger operator	7.26		1%			1/2%
Heavy equipment operator (or pole cat equivalent)	7.26		1%			1/2%
Line truck driver (winch operator)	6.57		1%			1/2%
Jack hammerman	5.99		1%			1/2%
Powderman	7.26		1%			1/2%
Groundman	5.34		1%			1/2%
Truck driver (flat bed, ton and half and under)	5.70		1%			1/2%
PAINTERS:						
Commercial brush and roller	5.35		.25		.20	
Spray; glove or dipping; sand-blaster; spray or sand pot tender (maximum two pots, two guns or nozzles); powder rollers; power equipment operators; bitumastic and like materials, applicators and kettle tenders	6.60		.25		.20	
Spray or sand pot tender (maximum, one pot, one nozzle or gun)	5.70		.25		.20	
Cooning steel, stage bosun chair, spiders, jack, roof work, skates, rolling scaffolds over 18 feet, suspend scaffolds and like equipment - fifty cents (50c) above basic hourly rate						
PLUMBERS-Steamfitters	8.55	.40	.80			.10
POWER EQUIPMENT OPERATORS:						
Group I	8.25	.35	.25			.12
Group II	8.00	.35	.25			.12
Group III	7.75	.35	.25			.12
Group IV	7.50	.35	.25			.12
Group V	7.00	.35	.25			.12
Group VI	7.10	.35	.25			.12
Group VII	6.50	.35	.25			.12
Group VIII	6.80	.35	.25			.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION

Group I

All crane type equipment with 100' of boom or over (including jib), all tower cranes and all crane type of 3 cu. yd. or more

Group II

Heavy duty mechanic; welder; crane hook and overhead monorail; whirley; panel board batch plant operator; derrick; piledriver; engineer; dragline; shovel; clamshell; backhoe; sideboom; gradall; hydro crane; cherry picker; hoists while operating 2 or more drums

Group III

Motor patrol (blade); dozer (engine h.p. 65 or over); Fordson tractor or like equipment with hoe or loader equipment or ditcher; scraper type equipment; Tournapull, DM 10, 15, 16, 20, 21 and similar rubber-tired equipment; Euclid, TS-24 and similar; loader operator or hi-lift (engine h.p. 65 or over); power driven hole digger; trenching machine; concrete pump-boom type

Group IV

Locomotive engineer; boring machine, tug boat; mixer, 18 cu. ft. and over; sand barge; dredge; machine; tugger; hoist when operating one drum; welding machine, 3 to 6; air compressor, 3 to 6, 500 cu. ft. and under; air compressor, over 500 cu. ft. (1); pumps; battery, 3 to 6; fork-lift; bobcat and similar equipment; generator plant engineer, diesel electric; winch trucks with A-frame; rollers all types; outside elevator or building or personnel hoist; concrete buster or tamper; heater under jurisdiction of operators; engineers, fireman; boiler operator; crushing plants; oiler distributor; pulverizer; farmer tractor with or without attachments; batch plant operator (portable); conveyor operator-duel, continuous or belt bulk handling, screened operator; concrete pump; form grader; screening plant; well print pump operator; signal man on large whirleys when and if required, operator for rotary drilling machine when operated from console or machines

Group V

Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft.; air compressor 500 cu. ft. and under (1 or 2); welding machine (1 or 2) fuelman; conveyor operator-single continuous belt bulk handling

Group VI

Greaser, tilt top trailer operator

Group VII

Asphalt lay machine back end man helpers

Group VIII

Truck crane oiler driver or truck crane oiler
Engineers for machine not listed under the above classifications shall receive the scale comparable to these classifications.
Engineers or all classifications when working in caverns or tunnels shall receive 25c per hour above listed rates.

DECISION NO. AR-93

ROOFERS

SHEET METAL WORKERS

SPRINKLER FITTERS

TRUCK DRIVERS:

Group I

Group II

Group III

Group IV

Group V

Basic Hourly Rates	Fringe Benefits, Payments		
	H & W	Pensions	Vacation
\$7.00	.25	.25	
8.09	.45	.45	
9.05	.50	.70	
5.20			.04
5.30			.06
5.40			.08
5.35			
5.50			

TRUCK DRIVERS CLASSIFICATION DEFINITION

Group I

Pick-up, 1½ tons or 2½ yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses

Group II

3 tons or 4 yards and up to but not including 4 tons or 6 yards

Group III

5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, tournerpulls, or other heavy material moving equipment; tractor trailer drivers and similar equipment, such as tractors, ten wheelers

Group IV

Ready-mix concrete trucks up to but not including 3 yards

Group V

Ready-mix concrete trucks 3 yards and over

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

ILLINOIS-25-LABORERS-1-2-3

LAKE COUNTY

LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
DECISION #AP-3055 - Mod. #2 (39 FR 28014 - August 2, 1974) Boone, DeKalb, DuPage, Kane, Kendall, Lake, McHenry & Will Counties, Illinois					
CHANGE: Carpenters & Piledriversmen: Boone & DeKalb Counties Cement Masons: Kane, Kendall & McHenry Cos. Will County Ironworkers: Kane Co; DeKalb Co; (excl. S.F. 2/3 incl. Sycamore & DeKalb), DuPage Co; (excl. Argonne & Vic.) the No. 4 of Kendall Co; & the SE 1/4 of McHenry County Lake Co; & in McHenry Co; (Hebron & Woodstock & East thereof Linenen: Remainder of District #1 Painters: Boone County Brush & Roller Spray	\$8.85 9.95 9.87 10.89 10.38 9.25 7.80 8.70	.25 .45 .40 .50 .84 .35 .30 .30	.25 .52 .65 .525 .98 1%		.04 .045 .05 .25%
OMIT: Laborers Schedule (Lake County)					
ADD: Laborers Schedule (Lake County)					

CLASS I
CLASS II
CLASS III
CLASS IV
CLASS V
CLASS VI
CLASS VII
CLASS VIII
CLASS IX
CLASS X
CLASS XI
CLASS XII
CLASS XIII
CLASS XIV

STREET PAVING, GRADE SEPARATION,
SEWER & WATER MAIN EXTENSIONS

CLASSIFICATIONS

LABORERS

CLASS I: Building Laborers, General Laborers, Wrecking and Demolition, Fireproofing &
Fire Shop Laborers
CLASS II: Firebrick & boiler Setter Laborers
CLASS III: Boiler Setter Plastic Laborers, Stone Derricksmen & Handlers
CLASS IV: Gaisson Diggers, Well Point System, Chimney Laborers on Firebrick
CLASS V: Chimney Laborers (over 40') Scaffold Laborers, Wall Men or Wreckers
CLASS VI: Windlass and Operator
CLASS VII: Plasters Laborers
CLASS VIII: Jackhammer Men, Power Driven Concrete Saws
CLASS IX: Cement Gun Nozzle Laborers (Cunite)
CLASS X: General Laborers, Asphalt Plant Laborers, Flagmen, Asphalt Laborers, Top Laborers
CLASS XI: Form Setters, Well Point System, Jackhammermen & Bottom Men, Pipelayers on drain
Catch Basin Diggers, Pipelayer Men, All Tunnel Work, Power Driven Concrete Saws
CLASS XII: Second Bottom Men
CLASS XIII: Tamperers, Smoothers & Cement Gun Laborers
CLASS XIV: Rackers, Luteners, Machine Screwmans & Mitre Box Spreaders

MODIFICATIONS P 3

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
\$ 8.90 9.70	.25 .55	1 1/4 .30 .55		.04 .01	
DECISION #AR-1080 - Mod. #2 (39 FR 30698 - August 23, 1974) Allen County, Indiana					
CHANGE:					
Electricians					
Ironworkers					
Line Construction:					
North Indiana Exclusive of Calumet Area:					
Linenmen	7.96	.35	1%	a	.5%
Heavy Equipment Operators:					
Class "A"	7.18	.35	1%	a	.5%
Class "B"	6.28	.35	1%	a	.5%
Senior Groundman Truck Driver	5.26	.35	1%	a	.5%
With Winch					
Groundman Truck Driver:					
With Winch	4.92	.35	1%	a	.5%
Without Winch	4.33	.35	1%	a	.5%
Groundman:					
0 to 12 Months	4.04	.35	1%	a	.5%
After 12 Months	4.82	.35	1%	a	.5%
Calumet Area					
Linenmen	8.26	.35	1%	a	.5%
Heavy Equipment Operators:					
Class "A"	7.25	.35	1%	a	.5%
Class "B"	6.34	.35	1%	a	.5%
Senior Groundman Truck Driver	5.37	.35	1%	a	.5%
With Winch					
Groundman Truck Driver:					
With Winch	4.99	.35	1%	a	.5%
Without Winch	4.40	.35	1%	a	.5%
Groundman:					
0 to 12 Months	4.14	.35	1%	a	.5%
After 12 Months	4.94	.35	1%	a	.5%
Sprinkler fitters	9.40	.50	.70		.08
FOOTNOTE:					
a. 3 Paid Holidays: Thanksgiving Day, Christmas Day and New Year's Day, provided employee has been on payroll for a period of 30 working days prior to the holiday and works the work days immediately preceding and following the holiday.					

FOOTNOTE.

a. 3 Paid Holidays: Thanksgiving Day, Christmas Day and New Year's Day, provided employee has been on payroll for a period of 30 working days prior to the holiday and works the work days immediately preceding and following the holiday.

MODIFICATIONS P. 4

	Basic Hourly Rates	Fringe Benefits Payments				Other
		H & W	Pensions	Vacation	App. Tr.	
DECISION #AR-3081 - Mod. #2						
(39 FR 30701 - August 13, 1974)						
Bartholomew County, Indiana						
CHANGE:						
Carpenters:						
Remainder of County:	\$ 7.90	.30	.35		.03	
Carpenters & Soft floor layers	8.17	.30	.35		.03	
Millwrights & Piledriversmen	8.30					
Cement Masons	9.89					
Glaziers						
Line Construction:						
Linemen & Technician	8.18	.35	1%		.5%	
Heavy Equipment Operator "A"	7.77	.35	1%		.5%	
Heavy Equipment Operator "B"	6.40	.35	1%		.5%	
Powderman & Equipment Mechanic	6.25	.35	1%		.5%	
Senior Groundman Truck Driver						
W/Winch	5.35	.35	1%		.5%	
Groundman Truck Driver W/Winch	5.14	.35	1%		.5%	
Groundman Truck Driver WO/Winch	4.50	.35	1%		.5%	
Senior Groundman after 5 years	5.13	.35	1%		.5%	
Senior Groundman after 12 months	4.99	.35	1%		.5%	
Groundman 0-12 months	4.23	.35	1%		.5%	
Plasterers	9.10					
Sprinkler fitters	9.40	.50	.70		.08	
DECISION #AR-3084 - Mod. #2						
(39 FR 30708 - August 23, 1974)						
Delaware County, Indiana						
CHANGE:						
Glaziers	\$ 9.89					
Line Construction:						
Linemen & Technician	8.18	.35	1%		.5%	
Heavy Equipment Operator "A"	7.77	.35	1%		.5%	
Heavy Equipment Operator "B"	6.40	.35	1%		.5%	
Powderman & Equipment Mechanic	6.25	.35	1%		.5%	
Senior Groundman Truck Driver						
W/Winch	5.35	.35	1%		.5%	
Groundman Truck Driver W/Winch	5.14	.35	1%		.5%	
Groundman Truck Driver WO/Winch	4.50	.35	1%		.5%	
Senior Groundman after 5 years	5.13	.35	1%		.5%	
Senior Groundman after 12 months	4.99	.35	1%		.5%	
Groundman 0-12 months	4.23	.35	1%		.5%	
Sprinkler Fitters	9.40	.50	.70		.08	

Sen:

W/Winch
Groundman Truck Driver W/Win
Groundman Truck Driver WO/Wi
Senior Groundman after 5 years
Senior Groundman after 12 months
Groundman 0-12 months
Sprinkler Fitters

MODIFICATIONS P. 5

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AR-3087 - Mod. #2 (39 FR 30717 - August 23, 1974) LaPorte County, Indiana					
CHANGE:					
Bricklayers:					
Bricklayers & Stonemasons	\$ 9.67	.35		.02	
Marble Setters	9.67	.35		.02	
Tile Setters & Terrazzo Workers	9.67	.35		.02	
Electricians	9.55	3½%	4%	.2%	
Line Construction:					
North Indiana Exclusive of Calumet Area					
Linemen	7.96	1%	a	.5%	
Heavy Equipment Operators:					
Class "A"	7.18	1%	a	.5%	
Class "B"	6.28	1%	a	.5%	
Senior Groundman Truck Driver	5.26	1%	a	.5%	
Groundman Truck Driver:					
With Winch	4.92	1%	a	.5%	
Without Winch	4.33	1%	a	.5%	
Groundman:					
0 to 12 Months	4.04	1%	a	.5%	
After 12 Months	4.82	1%	a	.5%	
Calumet Area					
Linemen	8.26	1%	a	.5%	
Heavy Equipment Operators:					
Class "A"	7.25	1%	a	.5%	
Class "B"	6.34	1%	a	.5%	
Senior Groundman Truck Driver	5.37	1%	a	.5%	
Groundman Truck Driver:					
With Winch	4.99	1%	a	.5%	
Without Winch	4.40	1%	a	.5%	
Groundman:					
0 to 12 Months	4.14	1%	a	.5%	
After 12 Months	4.94	1%	a	.5%	
Sprinkler Fitters	9.40	.70		.08	
FOOTNOTE:					
a. 3 Paid Holidays: Thanksgiving Day, Christmas Day and New Year's Day, provided employee has been on payroll for a period of 30 working days prior to the holiday and works the work days immediately preceding and following the holiday.					

MODIFICATIONS P. 6

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AR-3088 - Mod. #2 (39 FR 30721 - August 23, 1974) Marion County, Indiana					
CHANGE:					
Carpenters:					
Carpenters, Millwrights & Piledrivers	\$ 9.45	.47	.50	.06	
Soft Floor Layers	7.55	.47		.06	
Glaziers	9.89				
Ironworkers	9.45	.55	.65	.05	
Line Construction:					
Linemen & Technician	8.18	.35	1%	.5%	
Heavy Equipment Operator "A"	7.77	.35	1%	.5%	
Heavy Equipment Operator "B"	6.40	.35	1%	.5%	
Powderman & Equipment Mechanic	6.25	.35	1%	.5%	
Senior Groundman Truck Driver	5.35	.35	1%	.5%	
W/Winch	5.14	.35	1%	.5%	
Groundman Truck Driver W/Winch	4.50	.35	1%	.5%	
Groundman Truck Driver W/Winch	4.50	.35	1%	.5%	
Senior Groundman after 5 years	5.13	.35	1%	.5%	
Senior Groundman after 12 months	4.99	.35	1%	.5%	
Sprinkler Fitters	9.40	.50	.70	.08	
DECISION #AR-3089 - Mod. #2 (39 FR 30723 - August 23, 1974) Monroe County, Indiana					
CHANGE:					
Glaziers	\$ 9.89				
Line Construction:					
Linemen & Technician	8.18	.35	1%	.5%	
Heavy Equipment Operator "A"	7.77	.35	1%	.5%	
Heavy Equipment Operator "B"	6.40	.35	1%	.5%	
Powderman & Equipment Mechanic	6.25	.35	1%	.5%	
Senior Groundman Truck Driver	5.35	.35	1%	.5%	
W/Winch	5.14	.35	1%	.5%	
Groundman Truck Driver W/Winch	4.50	.35	1%	.5%	
Groundman Truck Driver W/Winch	4.50	.35	1%	.5%	
Senior Groundman after 5 years	5.13	.35	1%	.5%	
Senior Groundman after 12 months	4.99	.35	1%	.5%	
Groundman 0-12 months	4.23	.35	1%	.5%	
Painters:					
Brush and roller	7.15		.20		
Structural Steel	7.90		.20		
Spray and sandblasting	8.15		.20		
Plumbers & Steamfitters	8.90	.40	.55	.10	
Sprinkler Fitters	9.40	.50	.70	.08	

CHANGE:

FOOTNOTE:

a. Per Week Per Employee

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	Appl. Tr.	Other
\$ 7.93	.35	.40		.02	
8.58	.35	.40		.02	
8.18	.35	.40		.02	
9.40	.20	1%+.30			
9.89					
8.18	.35	1%		.5%	
7.77	.35	1%		.5%	
6.40	.35	1%		.5%	
6.25	.35	1%		.5%	
5.35	.35	1%		.5%	
5.14	.35	1%		.5%	
4.50	.35	1%		.5%	
5.13	.35	1%		.5%	
4.99	.35	1%		.5%	
4.23	.35	1%		.5%	
7.90	.40	.20			
8.45	.26	.35		.02	
9.40	.50	.70		.08	
6.66	.45	a13.00			
7.16	.45	a13.00			
7.36	.45	a13.00			
7.51	.45	a13.00			

Add:
Heavy & Highway Construction
to the Laborers Schedule

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MODIFICATIONS P. 10

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AR-3053 - Mod. #3 (39 FR 25873 - July 12, 1974) Aitken, Anoka, Benton, Blue Earth, Carlton, Carver, Chisago, Cook, Crow Wing, Dakota, Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Isanti, Itasca, Jackson, Kanabec, Koochiching, Lake, Le- Sueur, Martin, Becker, McLeod, Mille Lacs, Morrison, Mower, Nicolllet, Nobles, Olmstead, Pine, Ramsey, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, St. Louis, Wabasha, Waseca, Washington, Winona & Wright Counties, Minnesota					
CHANGE: Carpenters & Piledrivermen:					
Zone 1	\$8.21				
Zone 2	8.28	.30	.50	.02	
Zone 3	8.58	.30	.30		
Zone 9	7.32	.30			
Cement Masons:					
Zone 2	8.88	.30			
Ironworkers:					
Zone 1	8.80	.55		.02	
Zone 2	8.95	.30	.10		
Zone 3	8.205	.14		.01	
Linemen:					
Zone 1	8.89	.47	.11%	1.5%	
Zone 2	8.89	.47	.11%	1.5%	
Zone 3	8.90	.67	.10%	3/4 of 1%	
Painters:					
Zone 1					
Brush	8.26	.30	.20	.05	
Structural Steel	8.50	.30	.20	.05	
Zone 2					
Brush	8.40				
Structural Steel	9.50				
Zone 3					
Brush	8.43	.45	.25	.06	
Structural Steel	8.93	.45	.25	.06	
Zone 4					
Brush	8.53	.35	.25	.04	
Structural Steel	9.03	.35	.25	.04	
Zone 6					
Brush	7.00				
Structural Steel	7.25				
Zone 7					
Brush	7.82	.35	.15	.02	
Spray	8.32	.35	.15	.02	
Zone 8					
Brush	7.80	.25			
Spray & High Work	8.30	.25			

DECISION #AR-1011-Mod. #2
(39 FR 34996-September 27, 1974)
Harrison, Hancock, Jackson and
Pearl River Counties, Miss.

Omit:
Highway, Sewer & Water Schedule
originally issued

Add:
Highway, Sewer & Water Schedule
attached.

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Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
Highway, Sewer and Water Construction				
Air tool operator	3.00			
Asphalt raker	2.75			
Bricklayers	4.25			
Carpenters	3.75			
Cement masons (Finisher)	3.50			
Concrete saw operator	4.00			
Electricians	5.40			
Form setter	2.80			
Grade checker	2.25			
Ironworker, reinforcing	4.00			
Ironworker, structural	3.30			
Laborer, unskilled	2.00			
Mason tender (Cement mason helper)	2.90			
Painter (Structural steel)	3.90			
Piledriverman	3.00			
Truck driver	2.75			
Tugboat operator	2.50			
Welder	3.70			
POWER EQUIPMENT OPERATORS:				
"A" frame truck (winch)	2.10			
Aggregate spreader operator	3.00			
Air compressor operator	2.60			
Asphalt distributor-spreader operator	3.00			
Asphalt plant	3.50			
Backhoe shovel operator	3.50			
Bulldozer operator	3.25			
Concrete batch plant operator	3.25			
Concrete Spreader machine operator	3.00			
Concrete finishing machine op.	3.50			
Concrete paving machine op.	3.30			
Crane, dragline operator	4.00			
Crusher feeder operator	3.00			
Curing machine operator	3.00			
Earth auger	2.75			
Fireman	3.00			
Guard rail post driver	2.75			
Joint filler	3.00			
Loader operator (all types)	3.50			
Mechanic	3.75			
Mixer operator (all types)	3.00			

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
Motor patrol operator	3.75			
Mud-jack operator	2.50			
Mulcher operator	2.75			
Oilier-greaser	2.75			
Piledriverman operator	4.00			
Pipelayer	2.80			
Roller operator (self-propelled)	2.75			
Scales (all types)	2.85			
Scraper operator	3.25			
Striping machine operator	4.00			
Sub grader machine operator	3.50			
Tractor operator (track type)	2.75			
Tractor operator (wheel type)	2.50			
Trenching machine	3.00			
DECISION NO. AR-77 - Mod. #2 (39 FR 40465 - November 15, 1974) Douglas and Sarpy Counties, Nebraska				
Omit: Plumbers; Steamfitters	\$9.76	.35	.55	.10
Add: Plumbers Steamfitters	9.76 9.86	.35 .35	.55 .55	.10 .10
DECISION NO. AU-2112 Mod. #2 (39 FR 15673 - May 3, 1974) Suffolk County, New York				
Change: Asbestos workers Boilermakers Bricklayers: Center Moriches on the south shore and following Chichester Avenue, North of Wading River and areas east thereof including the off shore islands Electrician & lineman	\$9.45 10.57	13.7% 5%	9% 5%+10%	.02
	10.40 10.90	.30 6%	2.00 .135%	.30 5/8 of 1%

MODIFICATIONS P. 13

DECISION NO. AR-50 - Mod. #3
(39 FR 35046 - September 27, 1974)
Tulsa and Creek Counties,
Oklahoma

CHANGE:

PAINTERS:

Brush
High work and stage
Spray and sandblasting
Hot or bituminous
Sheetrock hand tools
Sheetrock power tools
Hazardous work
Sprinkler fitters

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$7.50		.25	.35		.02
7.90		.25	.35		.02
8.15		.25	.35		.02
8.80		.25	.35		.02
8.00		.25	.35		.02
7.85		.25	.35		.02
9.70		.25	.35		.02
9.05	.50	.70	.35		.08

DECISION NO. AR-31 - Mod. #2
(39 FR 41160 - November 22, 1974)
Oklahoma, Cleveland, Canadian,
Lincoln, Pottawatomie, McClain and
Seminole Counties, Oklahoma

CHANGE:

CARPENTERS - Zone III

Carpenters
Power saw operator
Millwrights-Piledrivers
BRICKLAYERS-STONEMASONS:
Oklahoma, Cleveland, Canadian
and McClain Counties
Glaziers
Sprinkler fitters

\$7.25 .20 .25 .04
7.50 .20 .25 .04
8.37 .40 .35 .05
7.20 .50 .70 .08
9.05

DECISION #AR-1054 - Mod. #1
(39 FR 43484-December 13, 1974)
Statewide, Oregon

CHANGE:

Painters:

Remaining Counties
Brush
Spray; High Towers, ground
to 100'
High work over 100'; High
Towers, ground to 300'
High Towers; ground to over
300'
Ironworkers:
Structural, Reinforcing,
Ornamental, Riggers, Fence
Erectors, Signal Men
ADD:
Truck Drivers (p. 14)
See Below

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$7.62	.30	.35	.20		.03
7.87	.30	.35	.20		.03
8.12	.30	.35	.20		.03
8.62	.30	.35	.20		.03
8.90	.48	.80	.25		.05

AR-1054 p. 14

TRUCK DRIVERS (Cont'd)

Group 9: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 40 cu. yds. and including 50 cu. yds.; Transit mix and wet or dry mix trucks, over 13 cu. yds. and including 15 cu. yds.

Group 10: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 50 cu. yds. and including 60 cu. yds.

Group 11: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 60 cu. yds. and including 70 cu. yds.

Group 12: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 70 cu. yds. and including 80 cu. yds.

Group 13: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 80 cu. yds. and including 90 cu. yds.

Group 14: Dump trucks, side, end and bottom dumps, including semi trucks and trains or combinations thereof: over 90 cu. yds. and including 100 cu. yds.

Drivers and Helpers (handling sacked cement add \$.15 per hour)

Winch truck - takes classification of truck on which winch is mounted.

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Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
Decision #A0-2070 - Mod. #2 (39 FR 10070 - March 13, 1974) Sullivan County, Pennsylvania					
CHANGE: Asbestos Workers CARPENTERS: Remainder of County	.50	.35			.01
ELECTRICIANS: Western Half of County	.25	.35			.02
Millwrights	.28	1% + .10	.40		.02
Plumbers & Steamfitters	.25	.35			.02
Sprinkler Fitters	.41	.35	.20		.03
	.50	.70			.08
Decision A0-2085 - Mod. #5 (39 FR 14115 - April 19, 1974) Warren County, Pennsylvania					
CHANGE: Bricklayers, Marble Setters, Terrazzo workers and tile setters Sprinkler fitters	.40	.50			.025
ADD: Stonemasons	.50	.70			.08
	.40	.50			.025
Decision #A0-2121 - Mod. #5 (39 FR 18398 - May 24, 1974) Forest & McKean Counties, Pennsylvania					
Change: Millwrights Ironworkers: McKean County Pile-drivers Sprinkler Fitters	\$ 7.995 5% 70 5% 9.60	3% + .25 .81 8% .70	26% 26%		.3% .01 .50 of 1% .08
Decision #AR-2008 - Mod. #1 (39 FR 27406 - July 26, 1974) Luzerne County, Pennsylvania					
CHANGE: Bricklayers & Stonemasons: Hazleton Remainder of County Elevator Constructors Elevator Constructors Helpers Elevator Constructors Helpers (Prob.) Glaziers Lathers: Pittston, Avoca, Dupont & Duryla Marble & Tile Setters (Hazleton) Millwrights Roofers Composition & Kettleman Sprinkler Fitters Terrazzo Workers (Hazleton)	\$8.30 9.15 8.09 5.66 4.045 8.25 8.79 7.80 9.18 8.20 9.60 8.05	.35 .35 .39 .39 .35 .35 .35 .35 .35 .35 .35 .35	.50 .50 .26 .26 .40 .10 .50 .35 .40 .50 .70 .50	2 1/2% + a&b 2 1/2% + a&b	.02 .02 .01 .02 .08
Decision #AR-2027 - Mod. #1 (39 FR 31850 - August 30, 1974) Berks County, Pennsylvania					
CHANGE: Asbestos workers Boilermakers Carpenters Electricians Glaziers Elevator Constructors Elevator Constructors' Helpers Elevator Constructors' Helpers (prob.) Soft floor layers Sprinkler fitters	\$8.73 10.20 8.13 9.70 8.14 8.69 6.08 4.345 8.13 9.60	.30 .65 .52 .30 .35 .345 .345 .52 .50	.30 1.00 1% 1% .10 .23 .23 .45 .70	2% + b&c 2% + b&c	.01 .01 .01 .01 .015 .015 .08

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
DECISION #AR-2030 - Mod. #2 (39 FR 31851 - August 30, 1974) Lancaster County, Pennsylvania CHANGE: Asbestos workers Bricklayers Sprinkler fitters					
\$8.73	.30	.30			.01
8.55	.25	.45			
9.60	.50	.70			.08
DECISION #AR-2035 - Mod. #1 (39 FR 10437 - November 15, 1974) Beaver County, Pennsylvania CHANGE: Millwrights Piledrivermen Soft Floor Layers Sprinkler Fitters					
\$ 7.995	5%	3 1/4 - .25	26%		3%
9.58	5%	8%			.50 of 1%
8.96	5%	6%	6%		.5%
9.60	.50	.70			.08
DECISION #AR-2036 - Mod. #2 (39 FR 33988 - September 20, 1974) Butler & Fayette Counties, Pennsylvania CHANGE: Electricians: Fayette County Millwrights Piledrivermen Soft Floor Layers					
9.60	.35	.20-1%	.60		.05
7.995	5%	3 1/4 - .25	26%		3%
9.58	5%	8%			.50 of 1%
8.96	5%	6%	6%		.5%
DECISION #AR-2037 - Mod. #1 (39 FR 31859 - August 30, 1974) Indiana County, Pennsylvania CHANGE: Bricklayers & Stonemasons: Banks, Brushvalley etc. Millwrights Piledrivermen Sprinkler Fitters					
8.88	.45	.60			.01
7.995	5%	3 1/4 - .25	26%		3%
9.58	5%	8%			.50 of 1%
9.60	.50	.70			.08

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
DECISION #AR-2039 - Mod. #1 (39 FR 35034 - September 27, 1974) Washington County, Pennsylvania CHANGE: Lathers Millwrights Painters: Townships and Borough of Jefferson, Luzerne, Perry, Morgan, West Pike Run, West Bethlehem, East Bethlehem, Washington, Rostraver, Union, Nottingham, Carroll, Fallow- field, Somerset, North Bethlehem, Centerville Borough and California: Commercial Industrial Plumbers; Remainder of Co. Sprinkler fitters Piledrivermen Soft Floor Layers					
\$8.53	.45	1.10			.01
7.995	5%	3 1/4 - .25	26%		1 1/2%
7.49	.30	.60			
8.50	.30	.60			
9.405	.60	.20			.12
9.60	.50	.70			.08
9.58	5%	8%			.50 of 1%
8.96	5%	6%	6%		.5%

DECISION #AR-2039 - Mod. #1
 (39 FR 35054 - September 27, 1974)
 Washington County, Pennsylvania

CHANGE:

Lathers
 Millwrights
 Painters:
 Townships and Borough of
 Jefferson, Luzerne, Perry,
 Morgan, West Pike Run, West
 Bethlehem, East Bethlehem,
 Washington, Rostraver, Union,
 Nottingham, Carroll, Fallow-
 field, Somerset, North
 Bethlehem, Centerville
 Borough and California:
 Commercial
 Industrial
 Plumbers;
 Remainder of Co.
 Sprinkler fitters
 Piledrivermen
 Soft Floor Layers

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$8.53	.45	1.10			.01
7.995	5%	3 1/4 - .25	26%		1 1/2%
7.49	.30	.60			
8.50	.30	.60			
9.405	.60	.20			.12
9.60	.50	.70			.08
9.58	5%	8%			.50 of 1%
8.96	5%	6%	6%		.5%

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DECISION #AR-2038 - Mod. #1 (39 FR 31862 - August 30, 1974) Westmoreland County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
		H & W	Pensions	Vacation	App. Tr.	
Change: Bricklayers & Stonemasons: Fairfield & St. Clair Twp. Millwrights Plumbers Piledrivermen Soft Floor Layers Sprinkler Fitters	\$ 8.88 7.995 9.405 9.58 8.96 9.60	.15 5% .60 5% 5% .50	.60 3/4+.25 .20 8% 6% .70	26% 6%	.01 3% .12 .50 of 1% .5% .08	
DECISION #AR-2015 - Mod. #1 (39 FR 37345 - October 18, 1974) Lawrence County, Pennsylvania						
Change: Millwrights Piledrivermen Soft Floor Layers Sprinkler Fitters	7.995 9.58 8.96 9.60	5% 5% 5% .50	3/4+.25 8% 6%+d .70	26%	3% .50 of 1% .5% .08	
DECISION #AR-2016 - Mod. #1 (39 FR 37349 - October 15, 1974) Mercer County, Pennsylvania						
Change: Carpenters Millwrights Piledrivermen Soft Floor Layers Sprinkler Fitters	9.02 9.76 9.76 8.63 9.60	.40 .40 .40 .40 .50	.50 .50 .50 .50 .70		.02 .02 .02 .02 .08	
DECISION #AR-1051 - Mod. #2 (39 FR 42832 - December 6, 1974) Statewide, Washington						
Change: Painters: Clark, Cowlitz, Klickitat, Pacific (southern portion), Skamania and Wahkiakum Cos. Brush Spray; High Towers, ground to 100' High work over 100'; High Towers, ground to 300' High Towers; ground to over 300'	\$7.62 7.87 8.12 8.62	.30 .30 .30 .30	.35 .35 .35 .35	.20 .20 .20 .20	.03 .03 .03 .03	
DECISION #AR-2058 - Mod. #1 (39 FR 35948 - October 4, 1974) Kanawha County, West Virginia						
Change: Sheet Metal Workers	\$4.90	.34	.40		.04	

SUPERSEDEAS DECISION

STATE: Arizona

COUNTIES: Apache, Coconino,
Navajo (Navajo and Hopi Indian
Reservations, Arizona Only)

DECISION NUMBER: AR-1060

Supersedes Decision No. AQ-1086 dated February 22, 1974, in 39 FR 6987.
DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family
homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		M & W	Pensions	Vacation	App. Tr.
Asbestos Workers	\$8.98	.50	.65		.01
Bricklayers	11.79	.50	.45		.03
Carpenters	8.25	.40	.60		.025
Cement Masons	7.985	.50	.60		.025
Electricians	8.82	.25	1%		1/2%
Laborers, unskilled	5.08				
Plumbers	9.85	.50	1.07	1.00	.10
Roofers	7.35	.40	.20		.02
Sheet Metal Workers	9.56	.27	.32		.02
Tile Layer, ceramic	8.30	.50	.30		.01
Truck Drivers	5.50				
Power Equipment Operators: Grader, Bulldozer, Backhoe, Trencher	8.01				

AR-4068 P. 2

SUPERSEDES

COUNTY: See Below*
DATE: Date of Publication
DATE: February 8, 1974 in 39 FR 5069

STATE: Florida
DECISION NUMBER: AR-4068
Supersedes Decision No. AO-4067 dated February 8, 1974 in 39 FR 5069
DESCRIPTION OF WORK: Dredging

*Atlantic Coast and Gulf Coast
West to the Aucilla River and
all Tributary Waterways, Florida

HYDRAULIC DREDGES 20" AND OVER

Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.
Leverman and engineer	.25	.25	a	
Mate	.25	.25	a	
Welder	.25	.25	a	
Derrick operator	.25	.25	a	
Spill barge operator	.25	.25	a	
Spider barge operator	.25	.25	a	
Tug master	.25	.25	a	
Carpenter	.25	.25	a	
Tug mate	.25	.25	a	
Electricians	.25	.25	a	
Machinist	.25	.25	a	
Steward	.25	.25	a	
Oilier and fireman	.25	.25	a	
Deckhand, tug deckhand	.25	.25	a	
Shoreman	.25	.25	a	
Second cook	.25	.25	a	
Messman	.25	.25	a	
HYDRAULIC DREDGES 16" UP TO BUT NOT INCLUDING 20"				
Leverman	.25	.25	a	
First engineer	.25	.25	a	
Second engineer	.25	.25	a	
Third engineer	.25	.25	a	
Welder	.25	.25	a	
Mate	.25	.25	a	
Oilier and fireman	.25	.25	a	
Deckhand	.25	.25	a	
Launchman	.25	.25	a	
Shoreman	.25	.25	a	
Spill and spider barge operator	.25	.25	a	
<u>CLANSHELL DREDGES</u>				
Operator	.25	.25	a	
Craneman	.25	.25	a	
First engineer	.25	.25	a	
Second engineer	.25	.25	a	
Third engineer	.25	.25	a	
Welder	.25	.25	a	
Mate	.25	.25	a	
Fireman	.25	.25	a	
Deckhand	.25	.25	a	
Launchman	.25	.25	a	
Scowman	.25	.25	a	
Cook	.25	.25	a	

Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.
Mess cook	.25	.25	a	
Messman and janitor	.25	.25	a	
<u>DIPPER DREDGES</u>				
Operator	.25	.25	a	
Craneman	.25	.25	a	
Engineer	.25	.25	a	
Welder	.25	.25	a	
Mate	.25	.25	a	
Fireman-Oiler	.25	.25	a	
Deckhand	.25	.25	a	
Tug Master	.25	.25	a	
Tug Mate	.25	.25	a	
Scowman	.25	.25	a	
<u>TUGS (TENDING DIPPER & CLANSHELL DREDGES)</u>				
Tug master	.25	.25	a	
Tug mate	.25	.25	a	
Engineer	.25	.25	a	
Assistant engineer	.25	.25	a	
Deckhand	.25	.25	a	
Cook	.25	.25	a	
<u>ON DIPPER AND CLANSHELL DREDGES & ON HYDRAULIC DREDGES 20" & UNDER</u>				
Cook	.25	.25	a	
Mess Cook	.25	.25	a	
Messman and Janitor	.25	.25	a	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

A. Holidays: A through F, plus 5% of straight time pay.

AR-2100 P. 2

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SUPERSEDES DECISION

STATE: Maryland, Georgia, North Carolina,
South Carolina, Virginia and
Washington, D. C.

DECISION NO.: AR-2100

DATE: Date of Publication

Supersedes Decision No. A9-2039, dated January 25, 1974, in 39 FR 3395.

DESCRIPTION OF WORK: All dredging on the Atlantic Coast from the southern
border of Maryland to the northern border of Florida, including the
Chesapeake Bay but excluding the Chesapeake and Delaware Canal, Baltimore
City and Baltimore County, Maryland.

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HYDRAULIC DREDGES 20" AND OVER

Leverman and engineer

Mate

Welder

Derrick operator

Spill barge operator

Spider barge operator

Tug master

Carpenter

Tug mate

Electricians

Machinist

Steward

Oiler and fireman

Deckhand, tug deckhand

Shoreman

Second cook

Messman

HYDRAULIC DREDGES UNDER 20"

Leverman

First engineer

Second engineer

Third engineer

Welder

Mate

Oiler and firemen

Deckhand

Launchman

Shoreman

Spill and spider barge operators

Cook

Mess cook

Messman and janitor

CLANSHELL DREDGES

Operator

Craneman

First engineer

Second engineer

Third engineer

Welder

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$ 6.42	.25	.25	a	
5.83	.25	.25	a	
5.86	.25	.25	a	
6.13	.25	.25	a	
5.97	.25	.25	a	
5.97	.25	.25	a	
5.57	.25	.25	a	
6.09	.25	.25	a	
5.25	.25	.25	a	
6.26	.25	.25	a	
6.02	.25	.25	a	
4.67	.25	.25	a	
4.48	.25	.25	a	
4.09	.25	.25	a	
3.98	.25	.25	a	
4.09	.25	.25	a	
3.98	.25	.25	a	
5.82	.25	.25	a	
5.45	.25	.25	a	
5.30	.25	.25	a	
5.14	.25	.25	a	
5.75	.25	.25	a	
4.79	.25	.25	a	
4.41	.25	.25	a	
4.09	.25	.25	a	
4.48	.25	.25	a	
3.98	.25	.25	a	
4.95	.25	.25	a	
4.51	.25	.25	a	
4.15	.25	.25	a	
4.05	.25	.25	a	
6.25	.25	.25	a	
6.09	.25	.25	a	
5.25	.25	.25	a	
5.11	.25	.25	a	
4.79	.25	.25	a	
5.57	.25	.25	a	

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$ 5.17	.25	.25	a	
4.47	.25	.25	a	
4.09	.25	.25	a	
4.48	.25	.25	a	
4.18	.25	.25	a	
4.51	.25	.25	a	
4.15	.25	.25	a	
4.05	.25	.25	a	
6.54	.25	.25	a	
6.16	.25	.25	a	
6.34	.25	.25	a	
5.86	.25	.25	a	
5.63	.25	.25	a	
4.48	.25	.25	a	
4.09	.25	.25	a	
5.37	.25	.25	a	
5.25	.25	.25	a	
4.18	.25	.25	a	
5.71	.25	.25	a	
5.32	.25	.25	a	
5.71	.25	.25	a	
5.17	.25	.25	a	
4.01	.25	.25	a	
4.18	.25	.25	a	

Mate
Fireman
Deckhand
Launchman
Scowman
Cook
Mess cook
Messman and janitor
DIPPER DREDGES
Operator
Craneman
Engineer
Welder
Mate
Fireman-Oiler
Deckhand
Tug Master
Tug Mate
Scowman
TUGS (TENDING DIPPER & CLANSHELL
DREDGES)
Tug master
Tug mate
Engineer
Assistant engineer
Deckhand
Cook

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving
Day; F-Christmas Day.

FOOTNOTE: A through F, plus 5% of straight time pay.

STATE: Nebraska

COUNTIES: Statewide (except Douglas, Cass, Sarpy, Washington and that portion of Saunders County East of Highway #109)

DATE: Date of Publication

Supersedes Decision No. AR-87 dated December 13, 1974 in 39 FR 43672

DESCRIPTION OF WORK: Heavy and Highway Construction (excluding bridges across navigable waterways).

DECISION NO.: AR-92

	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation
Carpenter	\$4.90			
Carpenter Helper	3.75			
Cement Finisher	4.45			
Concrete Saw Operator	3.65			
Form Setter (road)	4.55			
Form Setter (structures)	3.65			
Laborer	3.25			
Manhole Builder	3.60			
Painter	3.45			
Pile Driver Leadsman	3.45			
Power Equipment Operators:				
All Purpose Spreader	3.95			
Asphalt Distributor	3.95			
Asphalt Distributor Helper	3.40			
Asphalt Weateman	3.65			
Asphalt Paving Machine	4.60			
Asphalt Paving Machine Screedman	3.75			
Stationary Pl. (base or stabilization)	3.95			
Stationary Pl. (asphalt or concrete)	4.75			
Beginner Operator	3.95			
Bulldozer:				
Less than 115 Drawbar H.P.	4.40			
115 Drawbar H.P. and over	4.90			
Cement Handler	3.50			
Clamshell, Dragline, Backhoe, Crane, Pile Driver or Shovel	5.00			
Concrete Mixer	3.45			
Concrete Paver	4.30			
Slip Form Paver	4.75			
Concrete Finishing Machine and Spreader	4.65			
Conveyor	3.45			
Crusher (incl. those with integral screening plant)	4.50			
Dredge Pump Under 10"	3.80			
Dredge Pump 10" and over	4.30			
Fireman (boiler)	3.65			
Front End Loader:				
3½ cu. yds. or less	4.25			
Over 3½ cu. yds.	4.45			
Mechanic	5.00			
Mechanic Helper	4.20			

Motor Grader
 Oilier or Greaser
 Roller, Self-Propelled (hot mix)
 Roller or Compactor,
 Self-Propelled (other)
 Scraper Under 16 cu. yds.
 Scraper 16 cu. yds. and over
 Power Grade Machine (trimmer)
 Tractor:
 Farm Type (towing)
 Farm Type (With attachments)
 Less than 115 Drawbar H.P.
 115 Drawbar H.P. and over
 Traveling Plant (stabilization)
 Traveling Plant Helper
 (stabilization)
 Trenching Machine
 Truck Driver:
 Single Axle
 Tandem Axle
 Semi-Trailer
 Transit Mix
 Lowboy
 Welder

	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation
	\$4.80			
	4.10			
	4.35			
	4.25			
	4.45			
	4.75			
	4.65			
	3.65			
	3.95			
	4.40			
	4.50			
	4.45			
	3.80			
	4.00			
	3.50			
	3.60			
	3.85			
	3.85			
	3.85			
	4.65			

SUPERSEDES DECISION

STATE: Nebraska

DECISION NUMBER: AR-94

Supersedes Decision No. AR-13 dated August 16, 1974 in 39 FR 29884

DESCRIPTION OF WORK: Residential Construction, single family homes and garden type apartments up to and including 4 stories.

COUNTY: Douglas, Sarpy

DATE: Date of Publication

in 39 FR 29884

DECISION NO.: AR-94

Page 2

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
		H & W	Pensions	Vacation		
BRICKLAYERS, STONEMASONS	\$8.375	.35	.30	.60		
CARPENTERS:						
Carpenters	7.88	.35	.30	.40	.05	
Piledrivers	8.005	.35	.30	.40	.05	
Millwrights	8.13	.35	.30	.40	.05	
CEMENT MASONS	8.34	.35	.30	.40	.05	
ELECTRICIANS	10.08	.48	17+.50		.42	
GLAZIERS	6.75	.35	.20		.01	
IRONWORKERS; Structural, Reinforcing, Ornamental	7.35	.25	.25	.30		
LABORERS:						
Common laborers	5.62	.25	.25		.02	
Buggymobile operators; mortar mixers	5.765	.25	.25			
Mason tenders	5.765	.25	.25	.40		
LATHERS	7.15	.25	.25			
PAINTERS:						
Brush	7.65	.25	.25			
Paperhangers	7.90	.25	.25			
PLASTERERS	7.55	.25	.25			
Plasterer tenders	5.935	.25	.25		.02	
PLUMBERS	9.76	.35	.55		.10	
POWDER EQUIPMENT OPERATORS:						
Group I	6.78	.35	.30			
Group II	6.88	.35	.30			
Group III	7.13	.35	.30			
Group IV	8.02	.35	.30			
Group V	8.12	.35	.30			
Group VI	8.37	.35	.30			

ROOFERS:					
Composition Slate; tile	\$6.88	.15	.20	.20	.01
SHEET METAL WORKERS	7.18	.15	.20	.20	.01
SOFT FLOOR LAYERS	8.86	.35	.20		.02
STEAMFITTERS	8.00			a	
TRUCK DRIVERS, single axle	9.86	.35	.55		.10
	6.145	.25	.25		
WELDERS - Receive rate prescribed for craft performing operation to which welding in incidental.					
PAID HOLIDAYS:					
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Christmas Eve; H-Day after Thanksgiving					
FOOTNOTES:					
a. Eight paid Holidays, A thru H; also employees w/one year's continuous service with the same employer, but less than 4 years shall receive one week's paid vacation; after 4 year's continuous service shall receive two weeks paid vacation.					

CLASSIFICATION DEFINITION	
POWER EQUIPMENT OPERATORS	
GROUP I -	Oilers, greasers, mechanics helper
GROUP II -	Oiler drivers (motor truck crane)
GROUP III -	Conveyors, heaters, tractors, 35 hp or under, air compressor pump and welding machine operator
GROUP IV -	Bulldozers, forklifts, concrete pumps, tractors over 35 hp.

ROOFERS:
Composition
Slate; tile
SHEET METAL WORKERS
SOFT FLOOR LAYERS
STEAMFITTERS
TRUCK DRIVERS, single axle

WELDERS - Receive rate prescribed for craft performing operation to which welding in incidental.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day;
G-Christmas Eve; H-Day after Thanksgiving

FOOTNOTES:

a. Eight paid Holidays, A thru H; also employees w/one year's continuous service with the same employer, but less than 4 years shall receive one week's paid vacation; after 4 year's continuous service shall receive two weeks paid vacation.

CLASSIFICATION DEFINITION
POWER EQUIPMENT OPERATORS

GROUP I - Oilers, greasers, mechanics helper
GROUP II - Oiler drivers (motor truck crane)
GROUP III - Conveyors, heaters, tractors, 35 hp or under, air compressor pump and welding machine operator
GROUP IV - Bulldozers, forklifts, concrete pumps, tractors over 35 hp, one drum hoist, straddle trucks, spread oiler
GROUP V - Blades, end loaders, self propelled scrapers
GROUP VI - Two drum hoists, trenching machines, pile drivers, dredges, heavy duty mechanics, shovels, draglines, clamshells, orange peels, cranes, derricks, backhoes, winch trucks and side booms or cat booms, locomotives, firemen used on high pressure boilers in construction work, econobile, electric hammers and extractors

STATE: NEW YORK
 DECISION NO.: AR-2097
 Supersedeas Decision No. AR-2020 dated August 16, 1974 in 39 FR 29903

COUNTY: SARATOGA

DATE: DATE OF PUBLICATION
 August 16, 1974 in 39 FR

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

46-NEW YORK-1-2-3-Z 1 of 4

BUILDING, HWY. & HWY. CONSTRUCTION

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$ 8.93	.32	.18			.02
9.08	.60	10%			.01
9.29	.45	.30			.01
8.35	.40	.40	g		.005
8.60	.40	.40	g		.005
8.50	.40	.40	g		.005
8.70	.50	.50			.02
9.20	.50	.50			.02
9.36	.90	.83+.70	.56		.02
8.42	.40	.40			.025
8.22	.50	.45			.025
9.36	.90	.83+.70	.56		.02
8.35	.45	.30			
9.70	.50	1%+.55	a		h
9.85	.35	1%+.20+h	j		.05
8.73	.39	.26	2½+b+c		.02
6.11	.39	.26	2½+b+c		.02
4.365					
8.84	.55	.85			.04
8.84	.55	.85			.04
8.84	.55	.85			.04

Laborers, Building: (CONT'D)
 Providence, Greenfield,
 Wilton, Northampton, Galway,
 Milton, Saratoga Springs,
 Charleston, Ballston Malta
 and Clifton Park:

Laborers
 Air Tool Operators (jack-
 hammer, vibrator)
 Mortar mixers (hand or
 machine)
 Wagon drill
 Blasters
 Acetylene burners
 Remainder of County:

Laborers
 Pipelayers (2 man team),
 hod carriers, mortar mixer
 (hand or machine), jack-
 hammer op., well pointing,
 all air or gas driven tool
 vibrators, power driven
 buggies

Demolition
 Form setters (curb)
 Wagon drill operator
 Acetylene burners
 Blasters
 Lead burners

Line Construction:
 Linemen
 Cable Splicer
 Groundman digging machine
 operator
 Groundman mobile equipment
 operator
 Groundman truck driver and
 mechanic
 Groundman dynamite man

NOTICES

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 46-New York-1-2-3-Z 2 of 4

BUILDING, HWY. & HWY. CONSTRUCTION

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$ 7.60	.55	.70			.02
7.75	.55	.70			.02
7.75	.55	.70			.02
7.825	.55	.70			.02
8.075	.55	.70			.02
7.875	.55	.70			.02
7.60	.55	.70			.02
7.75	.55	.70			.02
7.85	.55	.70			.02
7.775	.55	.70			.02
7.825	.55	.70			.02
7.875	.55	.70			.02
8.075	.55	.70			.02
9.25	.35			d	.01
9.79	.50	1%+.50		e	3/8of1%
10.54	.50	1%+.50		e	3/8of1%
8.81	.50	1%+.50		e	3/8of1%
8.30	.50	1%+.50		e	3/8of1%
7.90	.50	1%+.50		e	3/8of1%
8.30	.50	1%+.50		e	3/8of1%

AR-2097 P. 3 46-New York-1-2-3-Z 3 of 4
 BUILDING, HWY & HWY.
 CONSTRUCTION

AR-2097 P. 4
 46-New York-1-2-3-Z 4 of 4

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
		H & W	Pensions	Vacation		
BUILDING, HWY & HWY. CONSTRUCTION						
Marble setter, terrazzo wo workers and tile setters	\$ 7.82	.40	.30			
Painters:						
Clifton Park, Half Moon, Malta, Charlton, Galway, Milton & W. Milton:	7.97		.35	.25		
Brush	8.72		.35	.25		
Structural steel, bridge	9.07		.35	.25		
Spray						
Day, Hadley, Corinth	7.28	.25	.20			
Brush						
Structural steel, swing scaffold and bridge	7.68	.25	.20			
Spray and sandblasting	7.93	.25	.20			
Remainder of County:						
Commercial work	6.60					
Swing scaffold bosun chair, water towers, flag poles, window jacks	7.10					
Bridge, structural steel and sandblasting	7.35					
Plumbers and steamfitters: Moreau Township	7.74	.35	.50		.03	
South of a line drawn through the Outlet Rd., on R. 50, East & West to the Saratoga Co. Line; includ- ing the AEC and Malta Projects						
Remainder of County	9.50	.50	.75		.10	
Roofers	6.60	.30	.25		.02	
Sheet Metal Workers	8.30	.65	.30		.05	
Sprinkler Fitters	8.85	.40	3%+.30		.05	
Truck Drivers:	9.60	.50	.70		.05	
Straight, winch, transit-mix on job site, road oilers, dump, pick-up, panel, water and fuel trucks on site						
Euclids	7.09	.37	.37	f	.02	
Lowboy or lowboy trailers	7.34	.37	.37	f	.02	
	7.24	.37	.37	f	.02	

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

- Holiday: E, provided the employee works the day after the holiday.
- Holidays: A thru F.
- Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.
- Holidays: A thru F, Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.
- Holidays: A thru F; Washington's Birthday, Election Day for the President of the United States and Election of Governor of New York (provided the employee works the day before and the day after the holiday).
- One week vacation after one year's work; 2 weeks after 5 years work.
- Holiday: D, providing employee was on the payroll the week before the holiday or on the payroll the week after the holiday.
- Employer contributes \$15.00 per year to an apprentice training program.
- Employer contributes \$.50 to an annuity fund.
- Holidays: D & E, plus two hours on Election Day.

NY-27-LAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION

LABORERS:

Laborers and driller helpers
Concrete aggregate bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper pipelayers
Drillers, asphalt raters, stone or granite curb setters and acetylene torch operator
Blasters, form setters, stone or granite curb setters

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays A through F, providing the employee works the day before and after the holiday.

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$6.75	.55	.70	a	
6.95	.55	.70	a	
7.15	.55	.70	a	
7.35	.55	.70	a	

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, belcrete power pac (belcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopedobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), econobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: Lefournau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-belcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirllies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
GROUP 1	\$8.60	.45	.45+.30	a	.10
GROUP 2	8.66	.45	.45+.30	a	.10
GROUP 3	8.76	.45	.45+.30	a	.10
GROUP 4	8.94	.45	.45+.30	a	.10
GROUP 5	9.24	.45	.45+.30	a	.10
GROUP 6	9.37	.45	.45+.30	a	.10
GROUP 7	9.54	.45	.45+.30	a	.10

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

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NY-23-PEO-2-3-A

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HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I: Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated), fork lift (factory rated 15 ft. and over), front end loader 4 c.v. and over, head tower (saerman or equal), hoist (2 or 3 drum), mine hoist, mucking machine or male, overhead crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be on oiler), tractor drawn belt type loader, truck crane, tunnel shovel

GROUP II: Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated) and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity, concrete paver (over 165), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.v.), hi-pressure - boiler (15 lbs. and over), hoist (one drum), Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be on oiler), locomotive, maintenance/engineer/greaser/welder, mixer (for stabilized base self-propelled), monorail machine, plant engineer, pumpcrete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cot

GROUP III: A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 200 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type or combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), grout machine, homers (hydraulic-self propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point

GROUP IV: Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (3 or less of any combination), concrete paver or mixer (165 and under), concrete saw (self propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler, parapet concrete or pavement grinder, power broom (towed), power heater-man, revinitis widener, shell winder, steam cleaner, tractor

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NY-23-PEO-2-3-A

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	Fringe Benefits Payments			
	Basic Hourly Rates	H & W	Pensions	Vacation
HEAVY & HIGHWAY CONSTRUCTION				
POWER EQUIPMENT OPERATORS				
GROUP I	\$8.70	.45	.45+a	b
GROUP II	8.40	.45	.45+a	b
GROUP III	7.85	.45	.45+a	b
GROUP IV	7.15	.45	.45+a	b
PAID HOLIDAYS:				
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.				
FOOTNOTES:				
a. Employer contributes \$.30 per hour to an Supplemental Unemployment Benefit Fund.				
b. Paid Holidays A through F, providing the works the day day before and after the holiday.				

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N.Y. 1-TD-2-3 - H

HEAVY AND HIGHWAY CONSTRUCTION

TRUCK DRIVERS:

Warehouse, yardmen, truck helpers, pick-ups, panel trucks, flatbody material trucks (straight jobs), single axle dump, dumpsters, material checkers and receivers, greasers, tireman, mechanic helpers and parts chaser
 Tandems and batch trucks, mechanics dispatcher
 Semi-trailers, lobby trucks asphalt distributor, agitator, mixer trucks and dumpcrete type vehicles
 Specialized earth moving equipment, Euclid type or similar off-highway equipment, where not self-loaded
 Off-highway tandem back dump, twin engine equipment and double hitched equipment where not self-loaded

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day;
 C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F, provided employee has worked the working day before and the working day after the holiday.

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
\$ 6.90	.50	.45	a		
6.95	.50	.45	a		
7.00	.50	.45	a		
7.15	.50	.45	a		
7.30	.50	.45	a		

SUPERSEDEAS DECISION

STATE: NEW YORK

DECISION NO.: AR-2101

Supersedeas Decision No. AQ-2107 dated April 26, 1974 in 39 FR 14887
 DESCRIPTION OF WORK: Building Construction, (excluding single family
 homes and garden type apartments up to and including 4 stories),
 heavy and highway construction

COUNTIES: BRONX, KINGS, QUEENS,
 NEW YORK & RICHMOND
 DATE: DATE OF PUBLICATION

3-24-31-41-43-New York-1-2-3-K 1 of 4

BUILDING HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
Asbestos workers	\$ 9.45	13.7%	9%	12%	
Boilermakers	10.57	5%	5%+10%	7%	
Bricklayers	9.40	.78	2.92	.30	.02
Carpenters, Building:					
Carpenters, soft floor layers	9.61	.95	1.53	.55	.02
Millwrights	9.61	.95	1.53	.55	.02
Dock builders & piledrivermen	9.61	.95	1.53	.55	.02
Carpenters, Heavy					
Carpenters	9.61	.95	1.53	.55	.02
Dock builders & piledrivermen	9.61	.95	1.53	.55	.02
Timbermen	8.74	.95	1.53	.55	.02
Cement masons	9.35	1.005	1.505	1.00	.01
Electricians and linemen	9.98	u	15%+a	v + b	
Elevator constructors	9.52	.445	.29%+m	c + d	.02
Elevator constructors' helpers	7.14	.445	.29%+m	c + d	.02
Elevator constructors' helpers (prob.)	4.76				
Elevator constructors modern- ization	8.75	.445	.29%+m	c + d	.02
Elevator constructors modern- ization helpers	6.56	.445	.29%+m	c + d	.02
Elevator constructors repair	7.90	.445	.29%+m	c + e	.02
Elevator constructors repair's helpers	5.92	.445	.29%+m	c + e	.02
Glaziers	8.75	.66	.46+1.20	.365	.03
Ironworkers:					
Structural	9.78	.80	2.08	1.13	.04
Ornamental finisher	8.40	.63	2.035	.76	.03
Reinforcing	9.10	.785	.655+1.10	.75	.01
Labors:					
Asphalt rakers	8.17	1.05	.95	s	
Asphalt tappers	7.98	1.05	.95	s	
Asphalt laborers	7.95	1.05	.95	s	
Blasters (Hwy.)	8.59	.805	1.335	f + .65	
Cement concrete workers	7.45	.7025	.9025	1.20	
Curb setters, flaggers (Hwy.)	10.16	1.05	.95	e	
Form setters (Hwy.)	9.01	1.05	.95	s	
Laborers, puddlers, concrete rakers (Hwy.)	8.02	1.05	.95	s	
Laborers, (Bldg., & Hwy.)	7.70	1.19	1.25	s	
Mason tenders	8.30	.687	.795+.50		
Pneumatic gas, electric tool op. (Hwy)	7.46	.805	1.335	.65+f	

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3-24-31-41-43-New York-1-2-3-K 2 of 4

Labors: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
Pavers (Hwy.)	\$10.16	1.05	.95	e	
Plasterers' helpers (Kings)	8.05	1.60		.80	
Plasterers' helpers (Queens)	7.05	1.25		1.00	
Plasterers' helpers (NY-Bronx- Richmond)					
Power carriers (Hwy.)	7.85	.95	.50	.65+f	
Remmers (Hwy.)	6.77	1.805	1.335	e	
Wagon drills (Hwy.)	9.74	1.05	.95		
Lathers, metallic	7.62	.805	1.335	.65+f	
Lathers, nail-on (King & Queens)	9.10	.785	.65+1.10	.75	.01
Lathers, nail-on (NY-Bronx- Richmond)	8.40	.655	1.655	.70	.01
Lead burners	6.75		.25		.01
Marble setters:	9.25	.35		e	.01
Carvers	7.55	.63	.66+wx		
Cutters, setters	8.00	.63	.66+wx		
Sawyers, rubbers, polishers	7.17	.63	.66+wx		
Crane operators & derrickmen	6.93	.63	.66+wx		
Crane operators helpers	6.93	.63	.66+wx		
Painters:					
Brush	8.00	.60	.52+h	.24	
Spray, spray gun and scaffold work	9.71	.60	.52+h	.24	
Structural steel	7.50	8%	11%		
Structural steel spray	8.50	8%	11%		
Plasterers:					
Kings	8.05	.95	.40	1.40	.01
Queens	8.10	1.00	.40	1.00	.01
Bronx-NY-Richmond	8.25	.85	.60	.90	.01
Plumbers:					
Manhattan and Bronx	9.25	1.00	1.00+.86	.72	.06
Kings-Queens	9.00	.65	1.10+j	.89	.11
Richmond	9.30	.55	1.45+k	1.02	.25
Roofers:					
Composition, damp & water- proofers	8.84	12%	2.20	.63	
Slate-tile (Kings-Queens)	6.45	8%	.50	5%	
Slate-tile helpers (Kings-Queens)	5.13	8%	.50	5%	
Slate-tile (bronx-NY-Richmond)	8.84	.50	2.20	.63	
Slate-tile helpers (Bronx-NY- Richmond)					
Sheet metal workers	7.10	.50	.80	.80	.02
Sprinkler fitters	11.17	.597	.927	.387	.05
Steamfitters	8.655	7%+1.55	13%	10%	.05
		7%+1.55	13%	10%	

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

FOOTNOTES: (Cont'd)

- h. \$3.50 per day contribution for each man to a special annuity fund.
 i. Employer contributes \$.857 to a Security Benefit Fund.
 j. Employer contributes \$.43 per hour to a Security Benefit Fund.
 k. Employer contributes \$.700 per day to an Annuity Fund.
 m. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; Election Day; Veteran's Day, providing the employee works two days in the calendar week in which the holiday falls and each remaining work day during such calendar week.
 n. For each 15 days worked within the contract year an employee will receive one day's vacation with pay, with a maximum vacation of three weeks per year.
 o. Holidays: B, C, D & E, Election Day, Columbus Day, providing employee works at least 1 day in the week in which the holiday occurs.
 p. Holidays: A through F.
 q. Employer contributes \$.70 per hour to a combined Health & Welfare and Pension Fund.
 r. Employer contribution of \$.61 per hour to a Vacation Fund.
 s. Employers contribute \$.60 per hour to a Trust Fund.
 t. Employers contribute \$.15 per hour to an Annuity Fund.
 u. Paid Holidays: New Year's Day, Christmas Day provided the employee works a full half-day preceding the holiday.

	Fringe Benefits Payments				App. Tr.
	Basic Hourly Rates	H & W	Pensions	Vacation	
Stonemasons	\$ 9.75	.50	1.00		.01
Stone derrickmen & riggers	10.28	.75	1.19		
Terrazzo workers	8.71	.68	1.19		
Terrazzo workers' helpers	7.43	.925	.475		
Terrazzo workers, machine operator	7.68	.925	.475		
Tile setters	8.20	.60	1.50		
Tile setters' helpers	6.96	.40	.27		
Tuckpointers:					
Steam cleaners	8.97	.70	1.44	.50	.015
Waterproofers	8.72	.70	1.44	.50	.015
Sandblasters	9.72			.50	.015
Truck Drivers:					
Ready-mix concrete, sand, gravel and asphalt					
Exelide and turnapull operator	8.02	.73	1.58	n + o	
4 wheel trucks, hi-lo lift op.	8.075	.73	1.58	n + o	
Helpers & yardmen	6.775	.73	1.58	n + o	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.	6.525	.73	1.58	n + o	
PAID HOLIDAYS:					
A-New Year's Day; B-Memorial Day; Day; F-Christmas Day.	C-Independence Day; D-Labor Day; E-Thanksgiving				
FOOTNOTES:					
a. Employer contributes \$.86 per hour to Annuity Fund.					
b. Holidays: A through F; Election Day; Employee's Birthday.					
c. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; Election Day; Armistice Day.					
d. Employees with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years of service receive 3 weeks.					
e. Employees with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years but less than 15 years receive 3 weeks, 15 or more years receive 4 weeks.					
f. Holidays: A through F; Washington's Birthday; Columbus Day; Election Day; Armistice Day; Lincoln's Birthday.					
g. Holidays: A through F; Washington's Birthday; Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and regular schedule work days immediately preceding and following the holiday.					

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NY-1-FEO-1-E

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS

Double drum hoist

Stone derrick, cranes, cherry picker

Hoist, fork lifts, house cars, plaster (platform machine), plaster bucket, plaster pumps, compressors-welding machines (cutting concrete-tank work) paint spraying, sand blasting, and all equipment used for hoisting material

Cranes: All types - crawler or truck 100' to 149' boom
150' to 249' boom
250' to 349' boom
350' to 450' boom

Steel Erection:

Three drum derricks

Granes, 2 drum derricks, cherry

pickers

Compressors, welding machines

FOOTNOTES:

a. Employer contributes \$.90 per hour to an annuity fund.

b. Paid Holidays: New Year's Day; Lincoln's Birthday; Washington's Birthday; Good Friday (Iron League only); Decoration Day; Independence Day; Labor Day; Columbus Day; Election Day; Armistice Day; Thanksgiving Day; and Christmas Day providing the employee is employed during the payroll week in which the holiday falls.

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2-FEO-2-3-E

1 of 3

POWER EQUIPMENT OPERATORS, HEAVY & HIGHWAY CONSTRUCTION

Backhoes, power shovels, steel erection
Mine hoist & cranes
Gradalls, keystones, cranes (on land or water with digging buckets including sand rock cranes, bridge cranes, clamshells, draglines, trenching machines)

Piledriving cranes (when driving piles), piledriving rigs (when driving piles), cranes (under direction of a dockbuilder foreman), Derrick boats, tunnel

shovels, concrete plants (on site only)
Cherry picker (20 tons & over)

Tunnel mucking machines, back filling machines, cranes (including but not limited to those utilizing scale boxes and mucking buckets), paver dual drums

Elevators (manually operated), pavers, cableways, land derricks, power houses (which contain low air pressure units), asphalt spreaders, autogrades (C.M.I. and machines of similar nature)

Power houses (other than above), portable compressors (used for steel erection), compressors (3 or more in battery), driving of truck mounted compressors, double drum hoist, concrete pumps, well point pumps, tugger machines (compressed air caissons), drilled in caissons, soil solidification equipment, welding machines (used for steel erection)

Rollers (irrespective of motor power) concrete mixers
River cofferdam pumps, welding machines (1 op. 2 through 5 machines, 2 op. 6 through 10 machines except where AKC is operated by members of 1-15), concrete breaking machines, portable compressors (1 or 2 in battery not over 100' apart), high pressure boilers, single

	Basic Hourly Rates	Fringe Benefits Payments				Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.	H & W	Pensions	Vacation	App. Tr.
	\$9.67	5%	5%	.75+ a		5%	5%	.75+ a	
	9.60	5%	5%	.75+ a		5%	5%	.75+ a	
	9.44	5%	5%	.75+ a		5%	5%	.75+ a	
	9.26	5%	5%	.75+ a		5%	5%	.75+ a	
	9.10	5%	5%	.75+ a		5%	5%	.75+ a	
	9.09	5%	5%	.75+ a		5%	5%	.75+ a	
	8.90	5%	5%	.75+ a		5%	5%	.75+ a	
	8.71	5%	5%	.75+ a		5%	5%	.75+ a	
	8.67	5%	5%	.75+ a		5%	5%	.75+ a	

Basic Hourly Rates	H & W	Pensions	Vacation	Fringe Benefits Payments	
				App. Tr.	Oncel.
drum hoist, locomotives (over 10 tons), push-button machines, stationary engineers (care, operating and maintenance of conveyor roller and plant equipment in asphalt plants)	8.35	5%	.75-a		
Long boom land cranes:					
100' - 149'	9.94	5%	.75-a		
150' - 249'	10.19	5%	.75-a		
250' - 349'	10.44	5%	.75-a		
350' - 450'	10.94	5%	.75-a		
Junior engineers (when operating load-ers rubber-tired and/or tractor type with a manufacturer's minimum rated bucket capacity of 6 cubic yards and over)	9.35	5%	.75-a		
Junior engineers (when operating the following equipment and attachments): scrapers, turn-a-pulls, tugger hoists (used exclusively for handling excavated material), tractors (rubber-tired and/or track type), hysters and roustabout cranes, back scratchers, cherrypickers (all capacities, including the crew requirement for a manufacturer's minimum rated capacity of cherrypicker twenty tons and over), austin western and machines of a similar nature, basin machines, set-co silent hoist and machines of a similar nature,vac-all, meyers machines,john beam and machines of a similar nature,bulldozers, loaders (rubber-tired and/or tractor type with a manufacturer's minimum rated bucket capacity of less than 6 cubic yards), conveyors, motor graders, curb and gutter pavers and machines of a similar nature, ross carriers and travel lifts and machines of a similar nature					
Junior engineers when operating the following pieces of minor equipment: tractors, locomotives (10 tons and under), post hole diggers, ditch witch (walk behind),motor generators, road finishing machines, mixers (16S and under with or without loading devices) rollers (5 tons and under), tugger	9.10	5%	.75-a		

Footnotes: New Year's Day; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Election Day; Veterans' Day; Thanksgiving Day; Christmas Day, providing the employee works one day in the payroll week in which the holiday occurs.

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
8.94	5%	5%	.75+ ^a		
8.59	5%	5%	.75+ ^a		

SUPERSEDEAS DECISION

STATE: Pennsylvania
 DECISION NO.: AR-2098
 Supersedes Decision No. AQ-2123, dated May 31, 1974, in 39 FR 19379,
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and
 garden type apartments up to and including 4 stories).

County: Crawford
 DATE: Date of Publication
 in 39 FR 19379,

20-PA-1-A		1 of 2				
Basic Hourly Rates	H & W	Fringe Benefits Payments			App. Tr.	Others
		Pensions	Vacation			
\$9.69	.30	.30			.64	
10.03	.50	.85			.01	
9.13	.30					
9.40						
8.26	.50	.77	6%		.4 of 12	
9.13	.40	1%			1/2 of 1%	
9.65	.40	.20			.13	
8.61	.30	.69				
9.15	.78					
7.37	.40	.40				
7.47	.40	.40				
7.82	.40	.40				
7.92	.40	.40				
7.67	.40	.40				
8.07	.40	.40				
7.67	.40	.40				
7.92	.40	.40				
7.92	.40	.40				
9.04	.20	1%				
6.41	.20	1%				
6.15	.20	1%				
9.13	.30					
7.995	5%	3%+.25	26%		1/2%	
7.70	.40	.50			.01	
8.00	.40	.50			.01	
8.70	.40	.50			.01	
8.40	.40	.50			.01	
8.70	.40	.50			.01	
9.05	.40	.50			.01	

BUILDING CONSTRUCTION

Asbestos workers
 Boilermakers
 Bricklayers
 Carpenters & Soft floor layers:
 Titusville

Remainder of County

Cement masons

Electricians

Glaziers

Ironworkers

Laborers:

Common laborers

Mason tender, hod carriers, mortar

mixers, scaffold builders

Pipelayers (concrete & clay)

Blasters, mechanical tamers, powered

wheel-barrow, wagon drill operators

Material buggy handler, blaster helper,

all tool operators, wagon drill

helpers & drill runner

Burners

When working in piers, trenches, open

coffer dams & caissons at depths more

than ten (10) feet below the lowest

adjacent grade:

Bottom man

All power operators

Drill man

Line Construction:

Lineman, dynamite man, heavy equipment

operator

Groundman, truck driver

Groundman

Marble setters

Millwrights

Painters:

Commercial:

Brush

Roller

Spray

Industrial:

Brush

Roller

Spray

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20-PA-1-A

2 of 2

BUILDING CONSTRUCTION

Piledrivers

Plasterers

Plumbers & Steamfitters:

Cambridge, Spring & Sparta

Remainder of County:

Contract under \$10,000

Contracts over \$10,000

Roofers

Sheet metal workers

Sprinkler fitters

Stone masons

Terrazzo workers

Tile setters

Truck drivers

Welders - receive rate prescribed

for craft performing operation to

which welding is incidental.

FOOTNOTE:

a. One week's vacation after one year's work; two weeks vacation after 5 years of

service.

b. Employer agree to contribute \$54.94 per month to Health and Welfare

c. Employer agree to contribute \$12.00 per week to a pension fund.

Fringe Benefits Payments

Basic Hourly Rates

H & W

Pensions

Vacation

App. Tr.

Others

8%

.50 of 1%

.28

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**BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS**

PA-42-PEO-1-H

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pension	Vacation	
CLASS 1	\$9.325	.50	.50		.09
CLASS 1-A	10.175	.50	.50		.09
CLASS 1-B	10.425	.50	.50		.09
CLASS 1-C	10.575	.50	.50		.09
CLASS 2	9.775	.50	.50		.09
CLASS 2-A	9.30	.50	.50		.09
CLASS 3	8.80	.50	.50		.09
CLASS 4	8.40	.50	.50		.09
CLASS 5	7.50	.50	.50		.09
CLASS 6	7.65	.50	.50		.09
CLASS 6-A	7.75	.50	.50		.09
CLASS 6-B	7.90	.50	.50		.09

CLASS 1: Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caisson drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), crane tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer-maintenance franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds. or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist (50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver-guard rail (skid type), pumcrete-mobile or similar type, Quad Nine, shovels (all type), slip form paver (CMI or similar), tractors-boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, Whirley

CLASS 1A: Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 tons or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any building structure)

CLASS 1B: Cranes (boom or mast over 150 ft. up to & including 200 ft.) engine-lead

CLASS 1C: Cranes (boom or mast over 200 ft.)

CLASS 2: Asphalt plant op., athoy loader, auger-truck, truck or tractor mounted, back-filling machine, boat-material or personnel carrying (powered), boat-job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunnite machine (combination), compressor & sandblasting machine (combination), concrete bolt placer, crane-overhead, crushing and screening plants, drillcore (truck or skid mounted) drill-Davey or similar type, drill-well & core (truck mounted), elevator euclid loader, excavating equipment (all other), grader, grader-elevating, greaser-equipment (load), hi-liftless than 4 yds., hoist-one drum (4 floors or over), hoist-hoi (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer-paving mucking machine, pipe clearing machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to two small machines, grout pump (10 H.P. or over) paver op., asphalt (spreader), pumcrete machines op., (stationary), tire repairman, welder (repairman)

CLASS 2A: Conveyors 4 units or more

CLASS 3: Oiler, compactor (ridden or self-propelled) concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well and horizontal (self-propelled and self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self propelled or ridden), pipe dream, roller saw concrete, soil stabilizer (pump type), stone crusher, stone spreader self-propelled tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other equipment

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CLASS 4i: Ballast regulator, boring machines, broom power (except push type), compressor-single (regardless of power used), conveyor-over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW) hoists monorail (regardless of power used), hoist roof (regardless of power used), bunk machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used) pump (over 1- $\frac{1}{2}$ " discharge, regardless of power used) spray cure machine (power driven) steam jenny (or similar type) syphon (steam or air) welding machine single (300 Amp or over) plant, private or industrial air or stream valve

CLASS 5i: Compressor - 65 c.f. or under (regardless of power used) conveyor 1 unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump- $\frac{1}{2}$ " discharge or less, seeding machine, spreader side delivery shoulder (attachment tie tamper (multiple heads), tractor farm (when used on landscaping) water blaster, oilertruck crane 50 ton or over

CLASS 6i: Brake man, deck hand, helicopter, signalman, oiler, mechanical helper

CLASS 6A: Crane truck oiler and fireman

CLASS 6B: Oiler - truck crane 50 ton or over

STATE: Pennsylvania
 DECISION NO.: AR-2099
 Supersedes Decision No. AQ-2042, dated February 8, 1974, in 39 FR 5044.
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

SUPERSEDES DECISION

COUNTIES: Adams & York
 DATE: Date of Publication

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 67-PA-1 B

BUILDING CONSTRUCTION

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Asbestos workers	\$8.73	.30	.30		.01
Boltermakers	10.20	.55	1.00		.01
Bricklayers & Stonemasons	8.55	.25	.45		.03
Carpenters & (York County)	8.09	.25	.40		.02
Carpenters & (Adams County)	8.13	.25	.35		.01
Cement Masons (Adams County)	8.315	.25	.25		.01
Cement Masons (York County)	7.44	.25	1.15		.01
Electricians	9.05	.25	.26	2 1/2 % + a+b	.02
Elevator Constructors	8.41	.39	.26	2 1/2 % + a+b	.02
Elevator Constructors helpers	5.89	.39			.05
Elevator Constructors helpers (prob)	4.205				
Ironworkers	9.36	.64	1.06		
Laborers:					
Laborers (unskilled), Window Cleaners & Fire watch	5.55	.35	.25		
Operators of jackhammers, paving breakers, MACO barko & air tampers chipping hammers, vibrators & all other pneumatic & mechanical tools coming under the jurisdiction of laborers whether operated by air, electricity or any other means, & vacuum cleaner	5.75	.35	.25		
Wagon & track drill operators	5.85	.35	.25		
Handling of all materials used by masons, lathers, plasterers, cement finishers, cement mixers, gunniting, also mixing of all materials used by masons, plasterers & cement finishers whether done by hand or any other process, building of scaffold for staging for masons & plasterers, laying of all clay, terra cotta, ironstone, vitrified concrete or non-metallic pipe & the making of joints for same, handling & using of burning torches, laying of pre-cast concrete slabs for flooring or roofing.	5.70	.35	.25		
Laborers assisting tile, marble setters & terrazzo workers	5.60	.35	.25		
Handling & using dynamite	5.88	.35	.25		
Mixer man (after 10 bricklayers on job)	5.95	.35	.25		
Caisson work (top man)	5.80	.35	.25		
Caisson work (bottom man)	6.00	.35	.25		
Line Construction:					3/8%
Linenmen, cable splicers	8.84	.30	1%		3/8%
Winch truck operator	6.19	.30	1%		3/8%
Groundman	5.30	.30	1%		
Marble, tile & terrazzo workers	7.50	.25	.45		

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Millwrights (Adams County)	\$9.18	.25	.35		.02
Millwrights (York County)	8.59	.25	.40		.03
Painters:					
Brush	6.25	.25	.15		
Steel & Spray	6.80	.25	.15		
Piledrivermen	9.92	1.28	.90	d	.07
Plasterers (York County)	7.15	.25	.25		.01
Plasterers (Adams County)	9.30	.25	.25		.01
Plumbers	9.30	.30	.40		.12
Roofers:					
Composition	7.10	.25	.20	.05	
Slate, tile	7.50	.25	.20	.05	
Helpers	5.355	.25	.20	.05	
Sheet metal workers	9.18	.52	.50		.01
Soft floor layers (Adams County)	7.79	.25	.35		.02
Soft floor layers (York County)	8.09	.25	.30		.03
Sprinkler fitters	9.60	.50	.70		.08
Steamfitters	9.30	.30	.40		.12
Welders- Receive rate for craft					
PAID HOLIDAYS (Where Applicable)					
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
FOOTNOTES:					
a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.					
b. Paid Holidays: A through F.					
c. Paid Holidays: Washington Birthday, Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veteran's Day and Thanksgiving Day.					
d. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veterans' Day & Thanksgiving Day.					

NOTICES

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POWER EQUIPMENT OPERATORS

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	\$10.19	4.6%	9.5%	a	1.2%
GROUP 2	9.90	4.6%	9.5%	a	1.2%
GROUP 3	9.02	4.6%	9.5%	a	1.2%
GROUP 4	8.25	4.6%	9.5%	a	1.2%
GROUP 5	7.77	4.6%	9.5%	a	1.2%
GROUP 6	6.85	4.6%	9.5%	a	1.2%
GROUP 7	10.14	4.6%	9.5%	a	1.2%
GROUP 7-A	10.69	4.6%	9.5%	a	1.2%
GROUP 7-B	10.94	4.6%	9.5%	a	1.2%

GROUP 1: Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above

GROUP 2: All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3- $\frac{3}{4}$ c.v. and over, tandem scrapers, pipin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tourmapills, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3- $\frac{3}{4}$ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, tireman (for power equipment), machines similar to above

GROUP 5: Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc.): 100 ft. and over

GROUP 7-A: 150 ft. and over

GROUP 7-B: 200 ft. and over

FOOTNOTE:

a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

SUPERSEDES DECISION

DECISION NO. AR-91

STATE: Texas
 COUNTY: Kleberg & Nueces
 DATE: Date of Publication
 SUPERSEDES DECISION NO. AR-86, dated December 13, 1974, in 39 FR 43496,
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes
 and garden type apartments up to and including 4 stories). (See General
 Wage Determination AR-36 for Paving & Utilities Incidental to Building Construction)

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
MARBLE SETTERS	\$6.38				.02
MARBLE SETTERS' HELPERS	4.87				
PAINTERS:					
Brush	5.99	.25	.25		2/10%
Spray	6.39	.25	.25		2/10%
Sign	6.24	.25	.25		2/10%
PLASTERERS	7.75				.01
PLUMBERS & STEAMFITTERS	6.85	.15	.25		.035
POWER EQUIPMENT OPERATORS:					
Group 1	6.45	.18	.45		
Group 2	5.675	.18	.45		
Group 3	5.075	.18	.45		
Group 4	5.425	.18	.45		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Asphalt Plant Mixer; Back Filler; Back Hoe; Batch Plant (concrete); Blade Grader; Boring Machine (foundation, horizontal or vertical); Bull Cram; Bull Dozer; Cableway; Clamshell; Crane, power operated, all types; Crusher; Derrick, power operated, all types; Dragline; Elevating Grader; Elevator, outside the building; Euclid and similar type machines; Forklift (on construction except in warehouses); Grade-All; Hi-Lift; Hoist (2 drums or more); Locomotive and Switch Engines; Mixer (paving); Mixer (concrete); Pile Driver; Pumps (2) over 3 inches; Pumpcrete Machine; Push Cat or Pull Cat; Roller (pneumatic, flatwheel); Scraper (all types); Shovel (power); Scoopmobile; Trench Machine; Tugboat (on construction); Turn-a-pulls and similar machines; Welding Machines (7 to 13) other than electric; Wellpoint; Winch Truck; All other equipment of similar nature coming within Heavy Equipment Class when power operated; Mechanic; Lubrication Engineer (required on grease racks and service trucks)

GROUP 2 - Air Compressor (1 or 2) 125 CM or less, gasoline or diesel powered; Blade Grader (towed); Conveyor; Elevator, inside the building, permanent type; Fireman (required on any boiler, steam locomotive, steam crane, etc.); Flex-plane; Form Grader; Generator (gas, diesel over 1500 watts); Hoist (1 drum); Mixer (less than 14 cu. ft.); Pulsmeter; Pumps (1) over 3 inches; Pumps (1 or 2) 3 inches or under; Roller (towed); Tractor (wheel type); Driver-oiler (required on tractors or truck cranes on which controls of crane and those of tractor or truck are operated from different seats or stations, mobile type grade all, etc.); Wagon drill; Welding Machines (3 to 6) other than electric; All other equipment of similar nature coming within Light Equipment Class when power operated

GROUP 3 - Oiler, 1st year

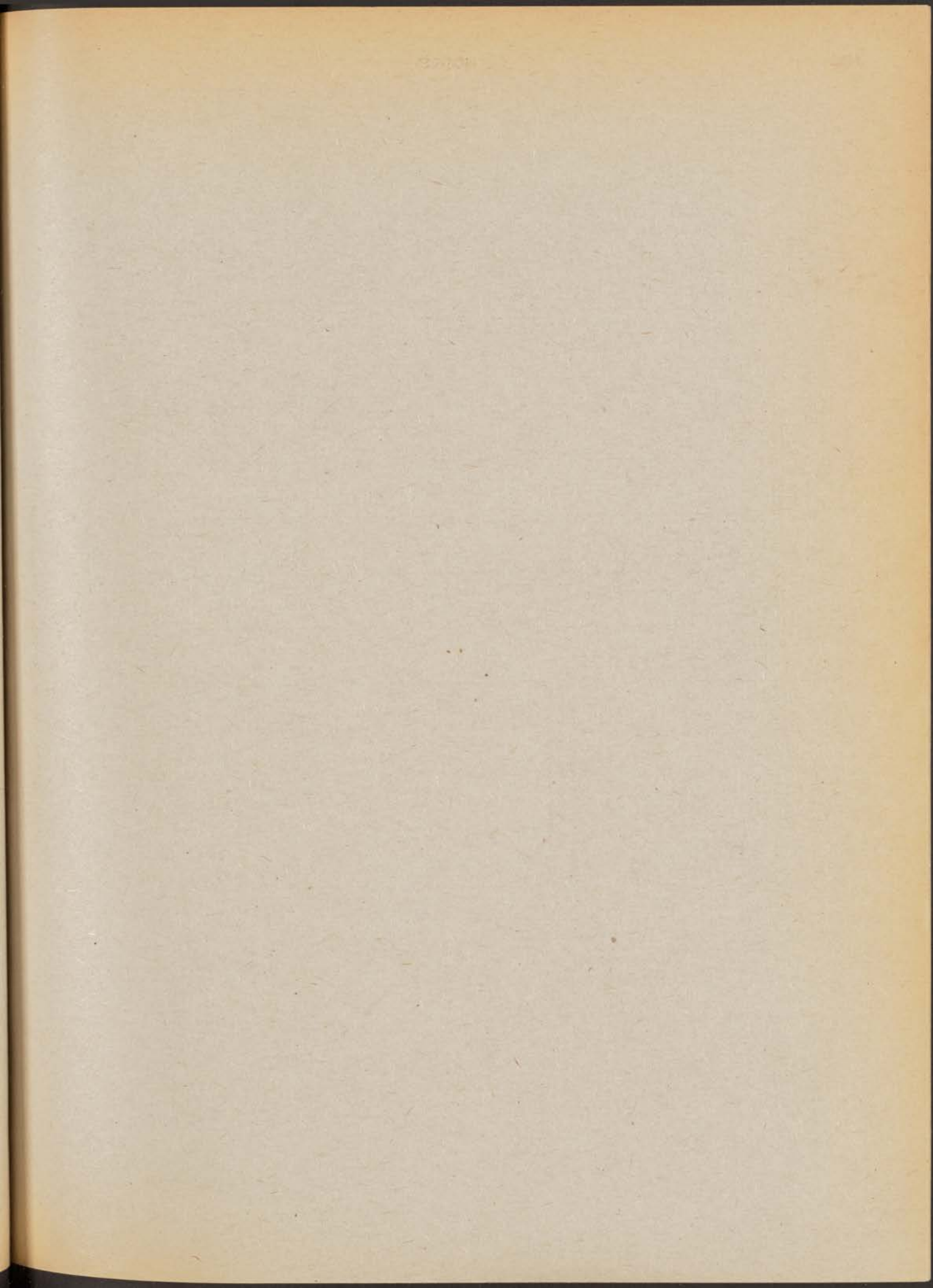
GROUP 4 - Oiler, 2nd year

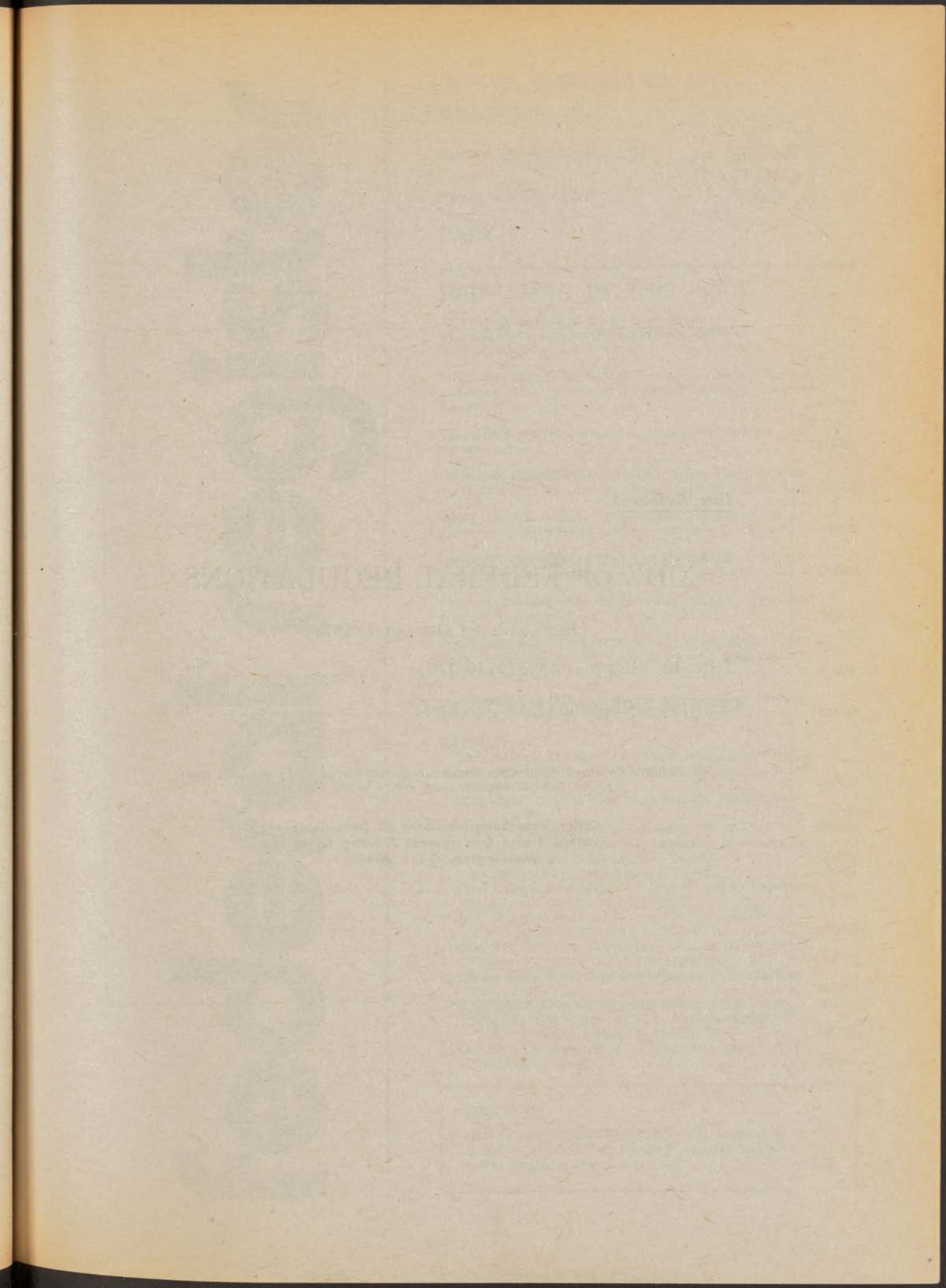
	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
ASBESTOS WORKERS	\$7.64	.35	.30		.02
BOTTLERS	7.80	.30	.76		.02
BRICKLAYERS	6.98	.18	.15		.02
CARPENTERS:					
Carpenters	6.09	.27	.30		.02
Millwrights	7.05				
CEMENT MASONS	6.65				
ELECTRICIANS:					
Electricians	7.85	.35	1%		1/2%
Cable splicers	7.975	.35	1%		1/2%
GLAZIERS (excluding Kleberg Co.)	5.34		.20		
IRONWORKERS:					
Structural; Ornamental	5.89	.40	.40		.04
Reinforcing	5.84	.40	.40		.04
LABORERS:					
GROUP 1 - General laborer (any work not specifically defined herein)	3.85	.28	.10		
GROUP 2 - Craft tenders: Bricklayers, plasterers, tile setters, concrete & mortar mixers, pipe-layers, lathers, finish carpenters, slip form operators, scaffolding water proofers, cement finishers; Power tool operators - Includes paving buster, jack-hammer, chipping gun, air tamper, barie tamper, electric vibrator, air or gasoline driven vibrator or drills, sump pumps and any and all power driven equipment operated by laborers	4.05 4.20	.28 .28	.10 .10		
GROUP 3 - Pipe wrappers & dopers	4.30	.28	.10		.01
GROUP 4 - Gunnite nozzlemen; Powderman or blaster	6.20	.30	.10	1.00	
LATHERS					
LINE CONSTRUCTION:					
Lineman	7.92	.28	1%		1/2%
Cable splicer	8.045	.28	1%		1/2%
Groundman	5.23	.28	1%		1/2%

DECISION NO. AR-91

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vocational	
ROOFERS:					
Roofers	\$5.525		.15		
Kettlemen	5.525		.15		
Waterproofers	5.525		.15		
Deckmen	5.525		.15		
SHEET METAL WORKERS	6.52	.15	.25		.01
SOFT FLOOR LAYERS	6.09	.27	.30		.02
SPRINKLER FITTERS	9.05	.50	.70		.08
TERRAZZO WORKERS	6.38				.02
TERRAZZO WORKERS' HELPERS:					
Terrazzo helpers	4.87				
Floor machine operators	5.07				
Base machine operators	5.22				
TILE SETTERS	6.38				
TILE SETTERS' HELPERS	4.67				.02
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

[FR Doc. 74-30072 Filed 12-26-74; 8:45 am]





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(Revised as of October 1, 1974)

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